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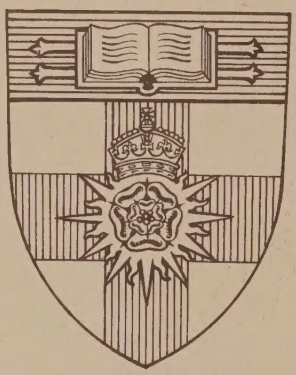

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ACCOUNTS AND PAPERS:

SIXTY-FIVE VOLUMES.

—(9.)—

COLONIES AND BRITISH POSSESSIONS—*continued.*

COLONIES (MISCELLANEOUS REPORTS):
COLONIES (GENERAL).

Session
29 *January* 1908 —— 21 *December* 1908.

VOL. LXX.

1908.

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1908.

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No. 44.

EAST AFRICA PROTECTORATE.

REPORT ON THE SURVEY DEPARTMENT

BY

MAJOR E. H. HILLS, R.E., C.M.G.

Dated 21st February, 1907.

Presented to both Houses of Parliament by Command of His Majesty.
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No. 44.

EAST AFRICA PROTECTORATE.

REPORT ON THE SURVEY DEPARTMENT OF THE BRITISH EAST AFRICA PROTECTORATE, BY MAJOR E. H. HILLS, R.E., C.M.G.

History.

For the purpose of this report it is not necessary to enter, at any length, into the past history of survey work in the Protectorate. The position of affairs, as they stood previous to the spring of 1906, when the present Director of Surveys was appointed, is set forth in the fullest manner in the report by Captain G. E. Smith, Royal Engineers, dated July 30th, 1905.

It is there clearly shown that the survey had been allowed to fall into grave arrear with the result that the arrangements for transferring land to new settlers were burdened with long delays in the delivery of the deeds, causing serious financial loss both to the Government and to the landowner, and hence, not unnaturally, much grumbling and dissatisfaction.

To say that land settlement is the paramount question in this country is a statement partaking of the nature of a truism, but, as it must be kept steadily in mind throughout all discussion of the survey question, it seems well to emphasize it at the outset.

The best, and probably the only, way for this country to become permanently prosperous is by the building up of a profitable agriculture, and hence no effort should be spared to encourage the occupation of new land by white settlers. Should the idea get abroad that the Government does not treat the farmer well, and that the sale or lease of crown lands is accompanied by irksome delays, costly both in time and capital to the intending holder, the opening up of the country may receive a serious check.

Money spent upon survey work of this nature must be regarded largely as capital expenditure, laid out for the development of a great national estate, and as such is quite

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trifling in amount compared with the sums spent on the railway, public works, and general administration.

Every white man holding land and cultivating it at a profit is both a valuable asset in the present and a pledge of prosperity for the future. Without men of this class the country must eventually degrade into a mere "plantation" colony, as such inferior in productiveness to others and quite unable to compete with the abundant fertility of the true tropics.

Primarily, therefore, the object of carrying out a precise survey of the land is to facilitate the sale, lease, and transfer of estates, farms, and building plots. In the second place, we require topographical maps for military and administrative purposes, and for the hundred other uses for which maps of a country are wanted, too familiar to call for detailed enumeration here.

The fact that the survey of British East Africa was falling behind the requirements of the country obtained practical recognition in the spring of last year, when the Survey Department was enlarged and reconstituted, with Captain G. E. Smith, Royal Engineers, as Director of Surveys. This officer took up his duties in July, 1906.

Staff.

The present strength of the Department is as follows:—

Superintending Staff:—

Director of Surveys.
1 Clerk.

Trigonometrical Branch:—

Deputy Director of Surveys (Captain, Royal Engineers).
Assistant Director of Surveys (Lieutenant, Royal Engineers).
2 Surveyors (non-commissioned officers, Royal Engineers).
Native artisans.

Cadastral Branch:—

Deputy Director of Surveys.
Assistant Director of Surveys.
5 Surveyors.
1 Plan examiner.
4 Draughtsmen and tracers.
5 Indian surveyors.

General Organization.

The Survey Department is one of several placed under the general direction of the Commissioner of Lands. The relations between the Director and the Commissioner were clearly laid down in Colonial Office letter of September 6th, 1906,

and are maintained with perfect harmony. It would, however, help to ensure a continuance of smooth working were a Land Board formed with the Commissioner of Lands as President, and the Director of Surveys as a member.*

This Board should see all papers connected with the survey, and one of its duties would be to lay down general lines of policy for the survey work, and to settle the sequence of districts for mapping, a procedure which would give the best possible guarantee that a change of policy is not entered upon without due consideration nor without the arguments, pro and con, being recorded.

In survey work continuity of policy spells economy, while sudden alterations, such as shifting parties from one side of the country to the other, or removing them from one district before their work is completed to begin in a different district where there has been a sudden and, perhaps, temporary demand for maps, spell increased cost and diminished output.

A proposal to constitute such a Board has been already sent to the Secretary of State, and from the point of view of the survey alone it may be strongly urged that it be called together at the earliest practicable date.

Office Buildings.

The headquarter offices of the Survey Department are at present housed at Nairobi in a set of buildings constructed of galvanised iron upon wooden frames which, when those now actually in erection are completed, will give sufficient space for the present staff with moderate additions. The risk of loss by fire is serious. It is presumed that the provision of permanent offices must wait until the whole question of public buildings in Nairobi has been considered with special reference to Mr. Williams' report to the Colonial Office of September, 1906, but should there be likely to be any long delay, it is most desirable that a fireproof plan-room should be provided.

Trigonometrical Work.

The existing strength of the trigonometrical section, viz., two Royal Engineer officers, two non-commissioned officers, and native artisans, is sufficient for all present requirements.

The general scheme of triangulation, drawn up by Captain Smith, seems perfectly suited to the needs of the country. It comprises a main "back bone" of triangulation along the railway from Mombasa to Lake Victoria, connected with the triangulation of the Anglo-German Boundary Commission at three points; a chain running north-east from Nairobi to Mount Kenia and thence westward along the equator joining with the chain along the railway at two points, Kisumu and Nakuru; and, eventually, a chain eastwards from Kenia

* This has now been done.

running down the valley of the Tana River to the coast and thence round to Mombasa. The work will begin at a base measured on the Athi Plains, near Nairobi, and thence the triangulation will be extended, first, in the north-easterly direction to Fort Hall and Kenia, and north-west along the railway. The connexion with the boundary survey will be made at an early date, and by this, combined with the German Usambara triangulation, the longitude of the base can be brought up from Zanzibar. A small correction must be applied to the boundary survey points, computed by the Indian tables, to bring them into conformity with Clarke's figure of the earth.

Another base must be measured near Mombasa and the triangulation started along the coast belt as soon as practicable. The main chains of triangles will be observed with 8-inch micrometer theodolites, with which an average triangular error of about two seconds of arc can be obtained. This may appear, at first sight, a rather high standard of accuracy, but it has actually been reached by the present staff in the triangulation work carried out in the Sotik district last year. The excellence of this result is attributable in a very large measure to the care exercised in the erection of the signals. Up to the present very good, but rather heavy and expensive, iron signals have been used. This is an unnecessary extravagance in a country where timber is plentiful, and their use should be discontinued except possibly for a few of the more important points, *e.g.*, the large triangle connecting with the boundary survey.

The employment of wooden signals will not materially diminish the accuracy of the work.

The technical details of the triangulation work may be thus summarised:—

Bases about two miles along, measured with 400-foot steel tapes, standardized with 100-foot invar tapes.

Base extensions of well conditioned triangles observed at night only to lamp signals.

Main triangulation chains.—Instrument 8-inch micrometer theodolite.

Triangular errors, mean, 2 secs. of arc.
,, ,, maximum, 6 secs. of arc.
Lengths of sides, 10-30 miles.

Topographical triangulation—Instruments 6-inch or 5-inch micrometer theodolites.

Triangular errors, mean, 6 secs. of arc.
,, ,, maximum, 24 secs. of arc.
Lengths of sides, 6-10 miles.

All points should be computed in geographical co-ordinates, but no "least square" adjustment need be made.

At present the topographical triangulation is done by the trigonometrical branch. When the topographical section is constituted the officers of that branch should take over this work. In districts where cadestral maps are required the necessary tertiary triangulation should be done by the cadastral branch.

The computation forms and angle books used should be those issued by the School of Military Engineering, as printed in the "Text Book of Topographical Surveying." Complaint has been made that the angle books are not large enough to allow of the convenient insertion of the figures. As is it of considerable importance that all African surveys should use the same forms, it is recommended that these angle books should be continued in use notwithstanding this objection to them. When they are reprinted any criticisms, based upon the experience of the East African Survey Department, can be given due weight.

Topographical Work.

No topographical section yet having been constituted the only work of this class that has been accomplished is a preliminary map of the Sotik district, on a scale of 1/250,000, done by the non-commissioned officers of the trigonometrical section. This map will be printed and will meet all requirements for many years.

It is, however, impossible to carry on systematic topography in this way, especially of the more settled parts of the country where maps on a larger scale are called for.

The early formation of a full topographical section, of two officers and six or eight surveyors, is imperative.

The measurement of the base near Nairobi will probably be completed before the rains, due at the end of March, so that the triangulation can begin immediately after them, say in June. By September the work will have advanced far enough to enable the topographers to start, so that if a topographical section could be employed for half the financial year 1907-8 good progress could be made.

Failing this the section must be appointed for 1908-9. In this case they could not begin mapping until June, 1908, and it is quite improbable that the first sheet of the map would be issued before January, 1909.

There is no advantage to be gained by drawing up an elaborate programme of the order in which the districts should be mapped. Any such scheme is liable to be totally falsified by the development of the Colony upon unexpected lines and by the opening up of fresh areas to settlement.

The only general principles to lay down are that the mapping should be strictly completed by sheets, and that it

should be started in the more closely-populated parts of the country, *i.e.*:—

Nairobi to Fort Hall.
Round Naivasha, Nakuru, and Kisumu.
The coast belt at Mombasa.

The general scale for the settled parts should be 1/125,000 ($\frac{1}{2}$ inch to 1 mile, nearly) with possibly a few areas of special importance mapped upon the 1/62,500 scale (1 inch to 1 mile, nearly, and with a reduction of scale to 1/250,000 ($\frac{1}{4}$ inch to 1 mile, nearly) for forest, uncultivated, and sparsely-populated tracts.

The 1/125,000 sheets can be either 45 minutes of longitude by 30 minutes of latitude or 30 minutes square ($17\frac{1}{4}$ inches on the paper) as may be preferred. For the 1/250,000 sheets it would be better to adhere to the War Office Index and make them $1\frac{1}{2}$ degrees of longitude by 1 degree of latitude. The general style of the finished maps should follow the standard form, *i.e.*:—

Sheets bounded by meridians and parallels.

Projection: Rectangular polyconic.

Contours: at 100 feet vertical intervals (for 1/125,000 scale).

Colours: Black for lettering and detail.
Blue for water.
Brown for contours and heights.
Green for forests.

Scales of both miles and kilometres.

The annual output of work that should be expected from a topographical section of six plane-tablers may be put at 4,800 square miles, or four sheets of map each 30 minutes (35 miles) square. If all the topographers are provided with ponies or mules these figures will be increased by 30 to 50 per cent.

It must be noted that the general scheme now put forward for the organization of the Survey Department, namely, one trigonometrical and one topographical section, cannot be taken as a permanent one for the reason that the relative strength of the two branches is disproportionate, and if this disproportion is continued the triangulation will run ahead of the topography. This disparity is of no importance at first, but after a few years it will lead to the disadvantage that the topographers will be so far behind the triangulators that the signals may have been blown down, decayed or otherwise destroyed, thus causing extra work and expense in replacing them.

The composition of the Survey Department should therefore be re-cast at the end of four or five years from the present date. At that time the option will lie between reducing the trigonometrical or increasing the topographical party, a choice which

can only be decided in view of the material progress of the Protectorate. If prosperous and if land is being rapidly taken up and put under profitable cultivation the decision will naturally be for accelerating the production of maps. Should, however, the advance of the Colony be less rapid than its well wishers hope, the first-named alternative might have to be faced.

Cadastral Work.

Up to the spring of 1906 all the cadastral or revenue survey, required for the laying out of new estates and the preparation of the necessary deeds, devolved upon the Land and Survey Office.

This office was much understaffed and the work fell into serious arrear, for details and examples of which Captain Smith's report may be consulted. Apart from the understaffing several other causes of delay may be noted. First and perhaps foremost among these must be put the fact that the unsound practice has been followed by selling blocks of land as containing a certain specified number of acres instead of as marked out upon the ground. Suppose a farmer wishes to acquire a farm of 640 acres. It is of no vital importance to him whether the area is 650 or 630 or even 610 acres; what is important is that he should have his ground plainly marked out by boundary posts and that the definite deed, conveying the land to him, should be delivered with the minimum of delay. When this is done he is in a position to fence his land, should be so desire, or if he wishes to dispose of it he can cut it up or transfer it as a whole. Should the purchaser be of such an exacting nature that he wants precisely the 640 acres, neither more nor less, then it is clearly his business to get it surveyed on his own behalf and at his own expenses. To demand that a small establishment should undertake the survey of isolated patches of land, situated all over the country, executed with such a degree of precision that the plans show the exact acreage is setting it an almost impossible task, and, in any case, one that could not be accomplished without a staff entirely out of the present question. Yet this is precisely the demand that has been made upon the Survey and Land Office in the past. To remedy this state of affairs is not difficult. The actual wording of the deeds contains no explicit or implied guarantee of the acreage, and to prevent any misunderstanding it is only necessary that steps should be taken to bring home clearly to the intending purchaser that it is land included between certain boundary marks that he is buying, and that the acreage is only mentioned as a guide and not as a guarantee of the quantity of land lying inside the marks. It would further be well that a note should be either added to the deed or attached on a separate slip to the effect that the acreage is only provisional and that the rent or assessment will be revised when the final survey is carried over the ground. In the case

of a sale of government land the price must be fixed upon the basis of the approximate or provisional acreage; it would not be practicable to insist that the sale price should be subject to revision after an interval of time which may amount to several years.

It now remains to define what we mean by "approximate" acreage in this connection, that is to say, we must lay down the permissible limit of error. To fix upon this is naturally largely a matter of personal idiosyncrasy, but, as a compromise between extreme views, we may fairly take it at 5 per cent. To allow the surveyor this latitude will permit the use of quicker methods of survey with a resulting large increase in the output. At the same time the maximum error allowed, namely, 32 acres per square mile, will in general be of quite trifling importance to the settler when weighed in the balance with the advantage of getting his title with the least delay in the other scale.

For the rapid survey of isolated estates and for the overtaking of the present arrears it is accordingly recommended that the method be adopted of plane-table traverses, executed with compass bearings, the distances being measured either with the perambulator or by long tape or chain, with a limit of error set at 5 per cent. on the total area. To keep a proper check on the work a certain proportion, say 1 in 20, of such estates should be independently resurveyed upon rigorous methods, a task which should generally be undertaken by the District Surveyor himself.

It will be observed firstly that this reduction of accuracy is more apparent than real in that it is very doubtful whether many of the plans now accepted from licensed surveyors do not contain errors quite as great as here contemplated; and, secondly, that it is only temporary in that, when the systematic cadastral survey by sheets has been fairly started, the necessity for using approximate methods will shrink away and finally vanish altogether.

In addition to this question of selling land by acreage, there are other minor but still important causes of failure in the past. The department has been habitually expected to do, and has often done, work which is not its real business; thus it has been called upon by private owners to make special surveys of their land for the purpose of settling disputes as to boundaries, encroachments, or acreage, and new settlers have often demanded that a representative of the survey should go over their ground with them and "beat the bounds." Other departments of Government have also given the survey tasks which result in taking members of the staff away from their legitimate work for more or less prolonged periods.

In general, there has been a certain want of system and discipline, largely due no doubt to the hand-to-mouth way in

which the work has been taken up. Thus no records have been kept which would readily enable the cost of the work to be ascertained, other than by taking the total annual expenditure compared with the total area dealt with, and there is no ready means of checking the output of any individual surveyor.

Every employé of the survey, other than native labourers, should keep a diary, which is seen by the superintending officer at regular intervals, and promotion to higher grades or increases of pay should depend upon merit, *i.e.*, speed and accuracy of work.

As the small staff of the Land Office were thus quite unable to keep up with the demand for new land, the custom arose of employing private licensed surveyors. The work done by these men is of varying order of merit and, while fulfilling the immediate purpose for which required, presents the disadvantages that it is costly and that the resulting plans cannot be combined into a cadastral or topographical map.

The use of licensed surveyors must be looked upon as a temporary expedient to meet a temporary difficulty and should be discontinued as soon as the cadastral branch can be worked up to a reasonable strength and efficiency.

A sudden break of policy is impossible as it would only result in throwing the work further into arrear so that the change must be spread over a few, say, conveniently, three years. The money saved by the discontinuance of the use of licensed surveyors should be added to the vote for the cadastral branch, thus giving the Survey Department a natural growth without increasing, by a single penny, the total cost of revenue survey work in the country.

Upon the basis of the present year's expenditure for fees to licensed surveyors, £6,000, this gives an annual increment of £2,000 to the survey estimates for each of the three next financial years.

The only positive increase of expenditure now recommended is a sum of £1,500 to allow of the appointment of three District Surveyors to superintend the cadastral branches in the districts, *i.e*, in the first instance, at Mombasa, Nairobi, and Kisumu.

With these additions the department should gradually overtake the arrears and, unless the Colony develops on an altogether unexpected scale, no further increase need be contemplated for many years.

It is essential that the survey staff should be divided into grades, and the arrangement favoured by Mr. Waring, the Deputy Director (Cadastral Branch), seems to meet the case. He proposes that they shall be graded as District Surveyors at £360 by £20 to £400. Senior staff surveyors at

£300 by £20 to £340. Junior staff surveyors at £250 by £15 to £280. The question of the pay and grading of the survey staff will be further dealt with in the report upon the survey of Uganda. It is obviously desirable that all the African survey departments should be assimilated as far as possible in this matter. Upon this basis the staff of this branch, omitting the Deputy and Assistant Director and also the clerks, draughtsmen, and Indian subordinates, will stand as follows:—

——	1907–08.	1908–09.	1909–10 and after.
District Surveyors	3	3	4
Senior Staff Surveyors	4	6	7
Junior Staff Surveyors	5	7	9

with the precautionary note that any predictions of the necessary strength of the survey in future years must be subject to periodical review in light both of the experience gained and of the rate of growth of the Colony.

The systematic cadastral survey in sheets should now be started at the earliest possible date.

The following general principles should be followed:—

Make a tertiary triangulation with sides 1½ to 2½ miles.

Traverse, with theodolite and chain or tape between the trionometrical points.

Plot traverses on plane-table, on scale 1/10,000.

Take plane-table into field and fill in details.

In general those details which affect land questions, *i.e.*, estate boundaries, houses, roads, rivers, and railway lines, should be fixed by rigorous methods, chainage, or intersection from three points; other details can be inserted by ordinary plane-table methods.

It must be borne constantly in mind that the task of making a cadastral map of even the most closely settled parts of the country on such a large scale is a very heavy one and can only be achieved by taking care that the work is not delayed by striving for an unnecessary degree of accuracy where unimportant. All superfluous topographical matter must be rigidly excluded from the cadastral sheets. The size of the sheets can conveniently be three minutes square (about 21 inches on the paper). Township areas must eventually be surveyed upon the 1/2,500 scale. Nairobi and Mombasa are already in hand and will be completed shortly. As regards the sequence of areas there is little to be said except what has been already stated with regard to the topographical work, namely, that the more populous parts will naturally be undertaken first. The

question of the survey of the coast belt at Mombasa requires, however, special consideration.

In this case the survey is urgently required, not so much for the purpose of transferring land to British settlers as for distinguishing clearly between Government and private land. At the present time numbers of cases are occurring where "squatters," with no claims of right, are occupying Government land and are purporting to transfer it to other owners.

Unless this land is surveyed and the present occupiers are compelled to register and support their titles, they will, by mere lapse of time, acquire good claims of right to land which should be Government property. Large areas of valuable estate will thus be lost permanently. Furthermore, it is impossible at present for the *bonâ fide* European purchaser to get a good title to land he may wish to buy. The development of the country is thus checked, and the taking up of estates with the object of growing cotton, rubber, cocoanuts, &c., is seriously hampered. A proposal has lately been forwarded to the Secretary of State to constitute a Land Court with power to call for and examine existing titles and to issue to the approved claimants new and indefeasible Government titles.

The District Surveyor, as head of the cadastral survey work in the district, should be a member of this Court. In order that the Court may work efficiently, or even at all, it is imperative that the preparation of cadastral plans should be continuously ahead of the registration work. The question of the erection of boundary marks or beacons requires attention. It is one of the duties of the surveyor to mark upon the ground, in a permanent manner, all points where the estate boundary changes direction, a service which is paid for by the landowner on a fixed scale. This duty has apparently been much neglected by licensed surveyors. No deed plan should be accepted unless the beaconed points are plainly indicated and the nature of each beacon described. At the same time it should be clearly understood that it is not the duty of the survey to cut the whole boundary line; they should, in fact, do no cutting, except where absolutely necessary for their work.

Employment of Natives on Survey Work.

A considerable amount of correspondence has lately passed between the Colonial Office and the officials of this, and presumably other African Colonies and Protectorates, on the question of the possibility of training natives for survey work, and the Secretary of State is doubtless in possession of the opinion of experienced officers upon this somewhat difficult subject. It is naturally one upon which a stranger both to the country and its inhabitants, is somewhat diffident in expressing any view. There seems to be a general recognition that the East African native is, at present, quite incapable of

being trained to any really skilled work and that, if he were so trained, there is no guarantee that the individual will remain in constant employment for more than a few months at a time. A very short period spent in his native village is sufficient for him to unlearn all he has been taught and the labour of educating him is thus lost. To start a training school, even on the smallest scale, in this country would appear to be an enterprise of very doubtful utility.

There is some chance that boys who have been given the requisite rudiments of education and have been partially drilled into orderly habits might be obtained from the mission schools. The Director of Surveys is fully alive to the importance of this question and an effort will be made to find and give employment to such boys, watching the result with care.

It is probably not practicable to send natives from this country to a training establishment on the West Coast, say, the proposed school at Accra. First, very few speak English; secondly, it would be difficult to get men with sufficient ambition or tenacity of purpose to concentrate their attention upon one subject for such length of time as to attain even moderate proficiency; and, thirdly, as already stated, they would probably return to their homes and forget all they had learnt in the shortest possible time.

There remains the question as to whether West Coast natives, trained at Accra, could be economically employed in East Africa. In this case the climate of the highlands would almost certainly be disastrous, but there is no reason why such men, assuming they can acquire the needful skill, should not be tried in the coast district where the climatic conditions are not materially different from those to which they are bred. A number of natives of India are already on the survey staff, and the Director is in communication with the Surveyor-General of India with a view of getting more. Some of these men obtained through the Protectorate Agent at Bombay have not proved entirely satisfactory.

E. H. Hills.

February 21st, 1907.

COLONIAL REPORTS.

The following recent reports relating to His Majesty's Colonial Possessions have been issued, and may be obtained from the sources indicated on the title page:—

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No. 45.

EAST AFRICA PROTECTORATE.

REPORT RELATING TO THE GEOLOGY OF THE EAST AFRICA PROTECTORATE;

BY

MR. H. BRANTWOOD MUFF, B.A.,

OF THE GEOLOGICAL SURVEY OF GREAT BRITAIN.

Presented to both Houses of Parliament by Command of His Majesty.

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REPORT RELATING TO THE GEOLOGY OF THE EAST AFRICA PROTECTORATE;

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MR. H. BRANTWOOD MUFF.

The report is reconstructed, and enlarged by the inclusion of additional observations, from reports made to His Majesty's Commissioner in East Africa, and to the Manager of the Uganda Railway.

The field work was carried out in the period between December, 1905, and September, 1906. The geology of the country along the Uganda Railway from Mombasa to Port Florence was investigated, and several traverses were made from the railway route. The chief of these were:—(1) from Gilgil along the eastern flank of the Rift Valley to Mugatan, and thence to Rumuruti on the Laikipia Plateau. From Rumuruti a course to the south was taken through Nyeri, Fort Hall, and Kiambu to Nairobi; (2) from Naivasha to the Aberdare Mountains; (3) from Naivasha to the country east of Longonot Volcano; (4) from Londiani to Eldoma Ravine and the Ndo Valley; and (5) from Port Florence to Rusinga Island.

Among previous accounts of the geology of the East Africa Protectorate, reference may be made to Walcot Gibson, who gives a summary of the geology in East Africa in the "Geological Magazine" for 1893. J. W. Gregory has described the physical geography and geology of the country as far west as the Rift Valley in contributions to the "Geographical Journal" for 1894, and to the "Quarterly Journal of the Geological Society" for 1894 and 1900. A paper by Scott-Elliott and Gregory in the 1895 volume of the latter Journal refers to the geology of Nandi and Kavirondo. In his work entitled "The Great Rift Valley" (London, 1896), Gregory has summed up our knowledge of the geology of East Africa to that date. Since that time G. T. Prior has given an account of the microscopic petrography of East African rocks in the "Mineralogical Magazine" for 1903, and the late E. E. Walker's Reports on the geology of the East Africa Protectorate have been published [Cd. 1769], 1903.

A bibliography of works relating to East African geology and containing abstracts from those mentioned above, is published in "Notes on the Geology of the Continent of Africa," compiled by Alexander Knox (War Office Publication, 1905).

For geological consideration the better known parts of East Africa Protectorate may be divided into three broad regions, each of which is occupied by a distinct group of rocks:—

(I.) The Coastal Belt, formed of sedimentary rocks, which dip at gentle angles towards the coast. (Page 3.)

(II.) A broad region of gneiss stretching from the inner margin of the Coastal Belt inland to the edge of the Kapiti and Athi Plains. (Page 18.)

(III.) A vast region covered by volcanic rocks and extending from the Kapiti and Athi Plains westwards across the Rift Valley to the shores of the Victoria Nyanza. (Page 27.)

In the country west of the Rift Valley, however, other rocks, which include the gneiss of the region mentioned second above, appear at the surface from beneath the volcanic rocks.

I.—The Coastal Belt.

(1.) General description of Coastal Belt and Table of Strata.
(2.) Raised Coral Reef and Kilindini Sands.
(3.) Changamwe Shales.
(4.) Duruma Sandstones.
(5.) Superficial Deposits on the Duruma Sandstones.
(6.) Water Resources on the Nyika.
(7.) Water Resources on Mombasa Island.

(1) *General Description of the Coastal Belt.*

The Coastal Belt, which reaches from the coast to mile 57 along the line of the Uganda Railway, is again divisible into three zones running nearly parallel with the coast line. These zones are plains, slightly dissected by denudation, which rise in steps one above the other towards the interior. Professor Gregory speaks of these zones as (*a*) the Coast Plain or Temborari; (*b*) the Foot Plateau; and (*c*) the Nyika. They are closely related to the three chief groups of sedimentary rocks which comprise the Coastal Belt. The Coastal Plain corresponds to the raised coral-reef formation; the Foot Plateau coincides very nearly with the shales of Upper Jurassic age, whilst the Nyika is composed of a thick series of grits and sandstones with subordinate shales, called the Duruma Sandstones. The beds are dipping gently towards the coast, so that as we proceed inland older and older beds are encountered in spite of the fact we are rising steadily to over 1,000 feet above sea-level. The openings and cuttings made for the construction

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of the Uganda Railway have provided a number of sections, which permit of a more complete examination of these beds than was possible formerly.

The simple structure previously recognised as due to a succession of beds dipping at an average angle of about 10° towards the east-south-east, has been confirmed. The Duruma Sandstones have been found capable of sub-division into four well-marked lithological groups. Beyond *Ammonites* and *Belemnites* of Upper Jurassic age, already known from the shales of the Foot Plateau, few fossils have been obtained. These are chiefly fragmentary plant remains, poorly preserved, and only partly determinable. They tend to show, though they do not prove conclusively that the sedimentary beds of the Coastal Belt are of Triassic and Jurassic age. Shales containing fossils of Permo-Carboniferous age are recorded by Gregory as occurring on the Sabaki River, by the "Second Stockade" (lat. 30° 3′ S., and long. 39° 5′ E.), but it is doubtful whether any strata of this age occur in the Coastal Belt where it is traversed by the Uganda Railway.

The following table gives the succession of beds in the Coastal Belt:—

	Raised coral reef and Kilindini Sands.	Pleistocene.
	(Unconformity.)	
	Changamwe Shales with limestone near base.	Jurassic.
Duruma Sandstones.	Mazeras Sandstone, with pisolitic limestone near top.	
	Mariakani Sandstone.	
	Maji-ya-Chumvi Beds	? Triassic.
	Taru Grits.	
	(Unconformity.)	
	Gneiss	Archæan.

(2) *Raised Coral Reef and Kilindini Sands.*

These beds form the Coastal Plain, which is about two miles wide at Mombasa and rises to an average level of 70 feet above low water-mark. The limestone is a porous rock, very often a breccia consisting of fragments of corals, molluscs and other marine organisms. The limestone composes the southern or seaward portion of the island, and extends in two short arms along the shores of the estuaries. On the eastern side, it extends some distance north of Mombasa. On the western side, in the new railway cuttings between the Mombasa line and Kilindini pier, its top dips down to the north and is covered by a sandy limestone, which gradually gives place to sands. The limestone is not seen again in the cliffs to the

northward, but it appears in the railway cuttings between Kilindini and the Makupa Bridge between mile 1/6 and 1/10.*

The rest of the island is formed of fairly coarse, clean sand, which is often cemented by calcite into a sandstone. The sand grains are chiefly of quartz, with the angles and edges rounded off. Gibson mentions the occurrence of grains of orthoclase, garnets, and cyanite, whilst Gregory notes in limestone at Kilindini grains of garnet, orthoclase, microcline, plagioclase, tourmaline, &c.—minerals which all occur in the sandstones or gneisses inland.

The rocks of the coast plain are doubtless a fringing reef, formed when the sea-level stood some 70 feet higher relatively to the land. The present harbours on each side of Mombasa Island mark the gaps in the reef opposite the mouths of the Mwachi and Mwamba Rivers, and the Kilindini Sands were accumulated in the lagoons behind the reef.

On crossing to the mainland we find at the railway bridge abutment a small mass of Kilindini Sands banked against the Jurassic shales of Changamwe, whilst a small island to the north of the bridge consists of the cemented sands resting unconformably on the shales. The Coastal Plain, however, is continued inland for some distance across the edges of the Jurassic shales, which just before reaching Changamwe Station rise up to form the Foot Plateau. The steep slope formed by the shales at the edge of the Foot Plateau is doubtless the degraded sea-cliff of the raised reef period, whilst the breadth of the plain cut across the Jurassic shales is some measure of the marine erosion during the period of formation of the coral reef.

The limestone in the southern part of the island is commonly close to the surface, or covered by limestone rubble and a few feet of ochreous reddish-brown clay-loam. The outcrop in the railway cuttings beyond Kilindini is overlain by a deep red clay, which is probably a true *terra rossa*. The soil overlying the Kilindini Sands is a light sandy brown loam, often several feet thick.

(3) *The Changamwe Shales.*

Behind the Coastal Plain, the Foot Plateau forms a belt of land about six miles wide, which attains an average height of 200 feet above sea-level. The Uganda Railway crosses it on the peninsula lying between Port Tudor and Port Reitz, the landward continuations of Mombasa and Kilindini Harbours respectively. The whole peninsula is formed of the Changamwe Shales, a thick and uniform series of dull olive

* The mileage is that given on the telegraph poles beside the railway, and is reckoned from Kilindini. The numerator of the fraction gives the miles, the denominator the number of the telegraph pole from the preceding mile post. The telegraph poles are placed at intervals of 100 yards.

green, friable shales. They are slightly sandy and micaceous, and contain nodules of clay-ironstone and argillaceous limestone on some horizons. The limestone nodules would yield a hydraulic lime, but they were nowhere found in sufficient quantity to be worth collecting for calcination. The shales, which have an outcrop nearly seven miles broad, overlie apparently quite conformably the Mazeras sandstones, the highest member of the Duruma Sandstone series, which rises from beneath the shales to form the line of hills on the inner margin of the Foot Plateau. The outcrop of the shales runs parallel with the coast, but is reported to disappear before reaching Takaungu to the north-east and Tiwa to the south-west. The shales are first met with in the railway cuttings between the Makupa Bridge and Changamwe. They are, however, here more distributed than usual and thrown by faults (mile 2/2). It is from this locality, and from the hills on the north shore of Port Tudor, that the fossils which proved the Upper Jurassic age of the shales were obtained by Hildebrandt in 1876. Some fossils obtained from the topmost beds of the shales on the track between Kisaoni (Freretown) and Takaungu indicate that the youngest part of the strata are probably of Lower Cretaceous age.

The Changamwe Shales are exposed in numerous cuttings from mile 9 to mile 11/6, where they give place on the flanks of the scarp between the Foot Plateau and the Nyika to the Duruma Sandstones. (*See* Fig. 1, page 37.)

In the deep cutting at mile 10/5-7 there is a remarkable line of coarse grit boulders embedded in the shales. One mass very much larger than the others measures 24 feet in length and about 15 feet in height. Lithologically the boulders are similar to parts of the Mazeras Sandstones or the Taru Grits, but it is not easy to explain their presence in the shales. The dip of the shales, which hitherto has been 10° to S.E., is here increased to 25°, and it maintains a higher angle (14° to 25°) to the base of the shales.

In the cutting at mile 10/15 a change of lithological character sets in, which marks the passage from the Duruma Sandstones of terrestrial origin to the marine Changamwe Shales. The shales become brown or purple, and are interbedded with lenticular bands of micaceous sandstone, which bear fossil sun-cracks and rain-prints on their surfaces. These beds are traceable to mile 11/6, where they are underlain by the upper beds of the Mazeras Sandstones on the hillside above the track.

In the deep cutting close to Changamwe Station, the shales, which contain clay ironstone nodules and thin bands of calcareous and ferruginous sandstone, are overlain by 6 or 8 feet of deep orange-coloured loam. The junction is uneven, though very sharp, and no weathered remains from the shales

are to be seen in the loam. From Changamwe Station (mile 4) to mile 9, the railway passes through cocoa-nut plantations, situated on a gently rising plateau covered by the loam. The shales are nowhere seen at the surface, but the bluffs along Port Tudor and Port Reitz, although greatly obscured by vegetation, are sufficient to prove the continuity of the shales beneath the loam.

Just before reaching mile 9 the loam ceases abruptly, and the Changamwe Shales again appear at the surface. Although we are still traversing the Foot Plateau at an altitude of about 200 feet above the sea, the aspect of the country is very different from that of the rich plantations just left behind. There is practically no soil; the grass is coarse and scanty, the trees small, sparse and thorny. It is evident that the plantations around Changamwe owe their fertility to the covering of loam, which absorbs much of the rain falling on it, and that the area of possible cultivation in the Foot Plateau is limited to the districts covered by the loam. Beyond its limits the land is cut up by numerous deep and steep-sided ravines, which carry off all the rain directly into Port Tudor and Port Reitz. By this powerful surface run-off all the fine surface débris, which is derived from the decomposition of the rocks at the surface and might accumulate under more favourable conditions to form a soil, is borne off into the sea.

The ravines are streamless, except during and immediately after rain. Their rock-floors in many cases pass beneath low water mark, and the lower reaches are sometimes occupied by arms of the sea, sometimes filled up with alluvium, which is fertile and often cultivated. It is obvious that the valleys were eroded at a time when the land stood higher relatively to the sea than it does at present. In view of the fact that the raised coral-reef has always been assigned to a very late geological date, it is somewhat surprising to find that this period of uplift and denudation is really later than the formation of the reef. It is important to note that there is no trace of the coral-reef formation in the estuaries, which are eroded in the Changamwe Shales and Mazeras Sandstone. On the other hand, the coral-reef formation itself, including the Kilindini Sands, is eroded into valleys which pass beneath low water mark. Good instances of these are seen in Mueza Creek, opposite Telegraph Point at Kilindini, and in the broad valley which enters Port Tudor opposite the north-east corner of Mombasa Island.

It is evident, therefore, that after the formation of the coral-reef, the land was elevated relatively to its present level. It is difficult to estimate the magnitude of this movement, but some indication may perhaps be obtained from the soundings recorded on the Admiralty Chart (No. 666). It is fairly clear

that the partially submerged valleys notch the 10-fathom submarine contour. Depths of over 20 fathoms are very common in Kilindini and Mombasa Harbours, whilst a few soundings of more than 30 fathoms are recorded. The detritus brought down by the streams at the present time is deposited on the mud banks in the upper reaches of Ports Tudor and Reitz, and the tidal scour is probably sufficient to prevent its accumulation in the harbours. On the other hand it is impossible to say whether the tidal scour has effected any submarine erosion, or whether solution of the limestone is responsible for any considerable deepening of the harbours. It is, however, practically certain that the elevation must have amounted to at least 60 feet above present sea-level, and it may have doubled that amount.

During this emergence of the land considerable denudation took place, pre-existing valleys were deeply cut down, new valleys were eroded in the raised reef and Kilindini Sands, and considerable areas of the reddish loam of the Foot Plateau were removed. This denudation was brought to an end by a return of the sea to its present position, some seventy feet lower than its level at the time the raised reef was formed. Thus, the conclusion arrived at is that the last movement on the coast has been a subsidence of the land and not an elevation, as might appear to be the case on a first inspection.

At the return of the sea to its present level Mombasa Island became separated from the mainland. The sea then invaded the valleys of two tributary streams, which had cut back their valleys during the previous period of uplift to a low col on the site of the Makupa narrows.

(4) *The Duruma Sandstones.*

The Duruma Sandstones occupy a poorly watered upland belt of country known as the Nyika, which rises behind the Foot Plateau to heights of 500 to 1,600 feet. The belt runs roughly parallel with the coast and where crossed by the Uganda Railway is some 45 miles broad. Northwards near Takaungu the Duruma Sandstones appear to reach the coast. Southwards they form the Shimba Hills and are doubtless to be correlated with the sandstones, grits, and shales mapped by Bornhardt in the Amboni Hills behind Tanga (German East Africa). Bornhardt points out that the latter are lithologically identical with a series of sandstones, which form a nearly continuous border on the eastern edge of the gneissic region of German East Africa and with the coal-bearing beds of the Nyasa region. In the beds of the two latter districts the plant-remains include *Glossopteris* or *Vertebraria*, which prove the Permo-Carboniferous age of the beds, but in the rocks of the Amboni Hills there have been found only coniferous remains referred by Potonié to *Voltziopsis*, and believed by him to indicate some horizon between Keuper and Middle Jurassic

(Bornhardt, "Zur Oberflachengestaltung und Geologie Deutsch-Ostafrikas," p. 505).

The fossil plants found at mile 38/11 in the second lowest sub-division of the Duruma Sandstones (the Maji-ya-Chumvi beds) have been identified by Mr. E. A. Newell Arber, M.A., F.R.S., as *Thuyites* and *Carpolites*. The small crustacean *Estheria* is also found in the same series of beds. As *Thuyites* is not known to be older than the Mesozoic era, its occurrence with *Estheria* in beds some thousands of feet below the Upper Jurassic is strongly suggestive of a Triassic age. But if this be granted, it still remains uncertain whether the Taru Grits which lie beneath the Mayi-ya-Chumvi beds, may not be of Permo-Carboniferous age.

(*a.*) *The Mazeras Sandstones.*—The topmost beds of the Duruma Sandstones, which pass beneath the Changamwe Shales, are exposed in the cutting at mile 11/10 on the railway. They consist of coarse grained massive reddish sandstones and contain prostrate silicified tree-trunks lying in a north and south direction. One of these, measuring 1 foot 4 inches by 9 inches in cross-section, was excavated for a length of four feet and taken down to Mombasa. Mr. Newell Arber refers this wood to the genus *Cedroxylon*.

The underlying beds are well exposed in a series of deep cuttings between miles 11/13 and 12/13. They consist of medium grained white sandstones in beds from 12 feet to over 45 feet thick, separated by bright green marls with occasional purple bands. The marl bands are from 3 to 25 feet thick, and are but poorly laminated. The sandstones are very white and consist of grains of quartz, felspar and quartzite, set in an opaque white cement which consists of miuute scales of white mica. The latter mineral forms but a poor cement, which allows the grains to loosen and fall away. The edges of the beds, which have been exposed for only a few years in the cuttings, are distinctly rounded. Hence these sandstones would make but a poor building-stone. The beds dip at angles varying from 5° to 11° towards some point between north and west, *i.e.*, towards the interior. They are affected, however, by several faults trending on an average N. 60° E., and throwing down to the south-east, so that the effect of the local inward dip is largely counteracted. Two of these faults are seen at mile 11/15, and a third passes the end of the cutting at mile 11/17. The latter fault splits into two, one branch of which crosses the line at mile 12/3, whilst the other branch is well seen in the cutting a little beyond. The succeeding exposures at mile 13 show a coarse-grained sandstone with banded bluish-grey and white shales, followed by exposures of white sandstones with green marls similar to those already described. The next outcrops at Mazeras Station are sandstones of a different type and are grouped as the Mariakani Sandstones.

On the south side of the railway between mile 11 and 12 the Mwachi River runs in a horse-shoe shaped ravine 300 to 400 feet deep. On the flanks of the ravine and in the bed of the river, the Mazeras Sandstones are frequently seen at the surface, but the interbedded shales are nowhere exposed. From the lower limb of the horse-shoe bend the river turns at a right angle to the south-east and passes through a short gorge, which opens out into the upper waters of Port Reitz. This gorge, together with the lower portion of the horse-shoe bend, is tidal, but there is no evidence of the sea having ever penetrated further up than it does at present, as must have happened if the gorge had been eroded to its present depth before the raised coral-reef of the coast was formed. It is, indeed, evident that the horse-shoe bend is an "incised meander" and that it was deepened during the period of uplift, which has been already shown to have followed the formation of the raised coral-reef.

On the flanks of the Mwachi gorge the coarse-grained sandstones are dipping regularly at about 15° to S. 30° E. Here they include a bed of greyish limestone about 30 feet thick, which contains pisolitic and oolitic bands, and sometimes pebbles of limestone and sandstone. Quartz grains increase in number towards the top of the limestone, which passes gradually into a coarse grained sandstone.

The pisolitic limestone may also be traced north-eastwards towards the railway. It was found to occupy the forest-covered summit of the hill south-west of mile 11/13. It is probable that a fault crossing the line near mile 11/6 throws down the beds to the north so that the limestone outcrop is transferred to the north side of the line. It is not exposed here, but blocks of limestone were found in the nullah about 100 yards above mile 11. Outcrops of limestone were also observed on the native track, which runs in a north-westerly direction in the angle between the railway and the old Mazeras tram-line at mile 10/14.

Returning to the section in the estuary of the Mwachi the sandstone lying above the limestone is in turn succeeded by the Changamwe Shales, which form very much lower bluffs and at the same time the estuary widens out.

Some little distance from the base of the shales, a bed of hard grey compact limestone, perhaps 8 or 10 feet thick, is interstratified with the shales. It contains small subangular grains of quartz, with a few of felspar in a matrix of finely granular calcite. Foraminifera and fragmentary remains of lamellibranchs, echinoderms, and probably of brachiopods are preserved in clear calcite. The only complete fossils observed were *Ostraea*. The limestone on calcination produced a very fat lime. The outcrop of the limestone was traced in a north-easterly direction towards the railway. It is shifted by several

faults, which run in the direction of the dip of the beds. The best exposure near the line it on the northern flank of the first rise south of mile 11/13.

A search around the head of Port Tudor would doubtless reveal these beds of limestone to the north-east, and the extension to the south-west of at least the upper bed seems proved by a specimen brought back from the Shimba Hills by the Director of Public Works.

(*b.*) *The Mariakani Sandstones.*—Returning to the section along the railway, the Mariakani Sandstones, which underlie the Mazeras Sandstones, are found to extend from Mazeras Station to mile 31/9, a distance of about 13 miles. They consist of fine-grained yellow sandstones, often false-bedded, and interstratified with sandy micaceous shales. The grains are chiefly of quartz, but grains of alkali-felspar slightly decomposed are abundant. Black and white mica occur in long wavy scales between the quartz and felspar grains. There are present also, grains of apatite, zircon, and tourmaline. In many beds the interstices between the grains are filled with finely divided mica, a poor cement, which allows the rock to crumble away grain by grain. The abundance of the mica flakes in many beds causes the rock to split too readily along the bedding planes to make a good freestone. Between mile 17 and Mazeras the sandstones are generally harder and less fissile than those further up the line.

Between Mazeras and the old station at Mariakani (mile 24) the beds are rolling gently at low angles, whilst beyond mile 24 the dip is fairly constant at about 4° to S.E. These sandstones are exposed in the bed of the Mwachi River at the Mazeras pumping station, and at intervals along the pipe-line.

(*c.*) *The Maji-ya-Chumvi Beds.*—Immediately after passing off the Mariakani Sandstones the Maji-ya-Chumvi Beds appear at the surface. They consist of repeated alternations of dull greenish mudstones with very hard sandstones, the former predominating. There are numerous exposures of these beds between mile 31/9 and Maji-ya-Chumvi Station (mile 33); but their outcrop is not finally passed until mile 41 is reached, close to Samburu Station. (Fig. 1, page 37.)

The sandstones are very compact and hard, generally greenish in colour but stained reddish-brown on the outside. They often run in ribs less than a foot thick, but there are also many posts 5 feet or more in depth. Joints are well developed, and are commonly from two to four feet apart, in the thicker beds. The mudstones are of a dull greenish-grey colour and break up with the usual irregular fracture. On the north side of the railway at mile 31/10, and also beside the path to the pumping station 8 minutes north of Maji-ya-Chumvi station, the mudstones contain carbonaceous specks, evidently plant

remains, but unfortunately all too fragmentary for determination. At the latter locality, one of the shale bands contains numerous remains of *Estheria.*

Beyond the pumping station and up to the head of the Maji-ya-Chumvi River sandstones are frequently exposed in the bed of the stream dipping at 3° to 15° to points varying from N. 55° E. to E. 20° S.

On the railway beyond Maji-ya-Chumvi Station similar beds are seen in the cuttings. A thick sandstone forms a prominent escarpment, which trends N.N.E.-S.S.W., and is crossed by the railway at mile 36. Its southward prolongation is named the Ndunguni Hills on the War Office map (I.D.W.O. Sheet 94, O.) and is well seen from the railway about mile 37.

The scenic features in the district occupied by the Maji-ya-Chumvi Beds are more varied than those of the Mariakani Sandstones or Taru Grits. This is due to the greater differences of hardness in the strata composing the Maji-ya-Chumvi Beds. A belt of shales and mudstones is marked by a broad, nearly flat-floored, hollow, whilst the thicker bands of sandstone, like that noted above, form ridges having a short and relatively steep escarpment facing the west and a long gentler dip-slope on the east. These ridges are broken through by the valleys of the main rivers, though there are very few permanent streams in the district. The whole of the surface features indeed, are explicable as the result of the establishment of a river-system on a gently inclined group of rocks of varying hardness. That the system is in an early stage of development is shown by the small importance of strike valleys as main valleys. The chief work of the streams, which are operative at intervals only, is done in carrying off the fine particles formed throughout the year by the disintegration of the rocks and washed down by the heavy surface run-off during the torrential rains.

Shallow cuttings between miles 38/6 and 38/14 expose sandstones minutely laminated by extremely thin layers of shaley material and splitting into small "stone-slates" usually ¼ to ½ inch thick. The beds are dipping at 9° to E. 25° S. and close to the surface are often greatly disturbed. It is noteworthy that a surface-slope of only 2° is sufficient to admit of soil-cap movements, which turn up the ends of the beds and cause an erroneous conception of the dip to be obtained from a mere surface exposure.

At mile 38/10-11 plant remains preserved in the dark partings of these fissile sandstones have been identified by Mr. E. A. Newell Arber as belonging to *Thuyites* and *Carpolites,* as already noted.

Fissile and sometimes ripple-marked impure sandstones are exposed at intervals as far as mile 41, close to Samburu Station. Here the Taru Grits, which underlie the Maji-ya-Chumvi beds first appear at the surface.

(*e.*) *The Taru Grits.*—These grits have frequently been referred to by travellers, whose attention was no doubt arrested by the extensive bare pavements and occasional hummocks of rock, whilst the hollows weathered out in them contained the last water the travellers of pre-railway days might expect to meet before gaining the far side of the Taru Plain, some 47 miles away.

There are frequent exposures of grit along the railway, and in the scrub on both sides of it, nearly as far as mile 57. Beyond this point the Archaean gneiss crops up, but the basement beds of the grit and their junction with the gneiss are not exposed.

The grit, across its whole outcrop, which is about 12 miles broad, varies very little. It is a massive, current-bedded, felspathic grit composed of grains of very unequal size. Only a proportion of the larger fragments are rounded, whilst the smaller grains are usually quite angular. Felspar, chiefly microcline and albite, is abundant and nearly always in a fresh condition. There also occur grains of garnet, graphite, white and black mica, hornblende and zircon. All these minerals occur in the gneiss, by the denudation of which the grits have been directly formed. The grains in the grit are closely packed together, and an apparent interlocking of the grains is due to a secondary deposition of quartz. This cementation has proceeded to a depth of over 450 feet from the surface as proved by specimens from the Samburu bore. It must diminish appreciably the porosity of the rock and its capacity to transmit water. The grits further contain pebbles of pegmatite, which are common as veins in the gneiss. A coarse conglomerate exposed in the nullah about half a mile south of Samburu Station contains many pebbles of gneiss over an inch long. Finer beds of grit showing sun-cracks and worm-tracks on their surfaces are seen west of the Station buildings at Samburu and also at mile 52/12.

The grits are traversed by two sets of widely spaced joints, too widely spaced indeed for convenience in quarrying even for heavy masonry. *Ngarunga*, as the local waterholes are called, are very often widened joints. The standing water attacks the alkali silicates in the felspar and brings about its decay, whereby the grit very slowly crumbles down to a quartz sand.

Yellowish, rather sandy, and slight micaceous shales with thin grey marly partings were exposed in a cutting on the diversion just beyond mile 53/13. Obscure plant remains and black carbonaceous specks were found in them, but unfortunately no determinable fossils. The boring put down at Samburu showed that shales were much more abundantly interstratified with the Taru grits than the surface exposures indicate.

The following journal of the bore is slightly abridged and is not corrected for the dip of the beds, which is probably between 5° and 10°.

Boring at Samburu (mile 42·10).

—	Thickness.		Depth.	
	Feet.	Inches.	Feet.	Inches.
Surface	10	5	10	5
Grit (felspathic)	22	2	32	7
Grey sandy shale	—	10	33	5
Coarse grit	9	—	42	5
Hard black shale with bands and nests of grit.	1	8	44	1
Grit	25	1½	69	2½
Sandstone	18	10½	88	1
Grit with thin shale bands	41	10	130	—
Hard black shale	1	4	131	4
Coarse and fine grit with shale bands ...	69	10	201	2
Dark gritty shale	17	9	218	11
Grit	40	2	259	1
Dark sandy shale	10	—	269	1
Grit with shale partings	1	3	270	4
Black shale	1	8	272	—
Sandstone with coaly specks	1	1	273	1
Dark shales with sandstone bands... ...	2	8	275	9
Grit and sandstone with coaly specks ...	2	5	278	2
Dark shale	1	2	279	4
Sandstone with coaly specks	1	5	280	9
Black and sandy shales	3	6	284	3
Grit	4	8	288	11
Black shale	2	—	290	11
Coarse and fine sandstone	7	10	298	9
Black and sandy shales	7	10	306	7
Grit	1	—	307	7
Black shales with sandy bands	3	5	311	—
Sandstone with grit and shale bands ...	13	10	324	10
Banded shales	1	5	326	3
Grit with some sandstone	130	2	456	5
Black shales with worm-tracks	6	10	463	3
Grey sandstone	1	6½	464	9½
Black shales	62	4	527	½

The shales passed through in this bore are black and micaceous and contain obscure traces of plant remains. Several of the sandstones also contain numerous black carbonaceous specks. Though the age of these beds is not settled, it has been pointed out that they are probably either Permo-Carboniferous or Triassic. Workable coal seams are found in beds of the above ages, both in India and South Africa. The possibility of coal being found on horizons from the Taru grits upwards to the Mazeras Sandstones should not be overlooked. The borer at Samburu, to judge from his reports which I have seen, was aware of this, and is, therefore, not likely to have passed through a coal seam unknowingly.

(4) *Superficial Deposits on the Duruma Sandstones.*

In the neighbourhood of Mazeras the sub-soil is a yellowish-red sandy loam, which covers the gentler slopes, whether they

be the tops of hills or the floors of valleys, to a depth of two to six feet. On the steeper hill slopes it is usually very thin or absent. It is not unlike the loam of Changamwe, but contains more sand. On the Mariakani sandstones the soil is of course eminently sandy. It is yellow, brown or greyish rather than red, and though thin is fairly uniformly distributed. On the Maji-ya-Chumvi beds the soil is generally very thin and, except in the valleys, is usually only a thin layer of rubble. A black clay, similar to the black cotton soil, sometimes forms terraces along the banks of the more permanent rivers. These terraces are a common situation for the natives' plantations. A deposit of white rubbly limestone (kunkar) is frequently found at the base of the black soil. It may be several feet thick, and is mixed more or less with clay. Apart from its association with the black cotton soil, "kunkar" occurs only in small isolated nodules in the superficial deposits of this part of the country.

The Taru Grits disintegrate into a coarse sandy soil of a brown or grey colour. A few miles beyond Samburu, however, the colour changes to bright red first of all on the ridges, where the soil is drier. On the slopes and in the hollows the soil remains a dark-brown sand, but it is occasionally replaced by black clay soil in some of the valleys. Finally on approaching the edge of the Taru plain the soil takes on the uniform bright red tint which characterises the gneissic region. The change of colour is due to the partial or complete dehydration of the iron oxides apparently as a result of greater aridity of the climate.

(5) *Water Resources on the Nyika.*

(*a.*) Small proportion of rainfall absorbed.

(*b.*) The boring at Samburu.

(*c.*) A boring west of Samburu.

(*d.*) Storage reservoirs.

(*a.*) There are very few statistics for rainfall for the Nyika, but the annual amount seems to vary exceedingly as it does in other parts of East Africa. At Mackinnon Road Station, situated about 2½ miles west of the outcrop of the Taru grits, the rainfall during 1904 and 1905 was 41·44 and 36·47 inches respectively, or rather more than three-fourths of the amount recorded at Mombasa during the same period. At Mazeras, on the eastern edge of the Nyika, the rainfall appears to be a few inches less than that of Mombasa.

The rain descends in short, violent showers. There is a large surface run-off, which fills the stream-courses with floods of short duration. The sandy soils absorb a part of the rainfall, but a large portion of this is evaporated or transpired by the vegetation. The amount of evaporation is unknown, but it would be greatly in excess of the rainfall, whilst the water

taken up by the vegetation can be by no means negligible. In these circumstances only a very small percentage of the total rainfall can percolate into the rocks to join the underground water. Moreover the cementation of the grits, which has already been noted, diminishes the permeability of the rocks. It is evident that, in spite of the amount of rainfall, very little water percolates into the rocks to replenish an underground reservoir.

(*b.*) A diamond-bore was put down at Samburu because water was required there for the railway. It commences close to the top of the Taru Grits where they are overlain by the Maji-ya-Chumvi Beds, which are chiefly impervious shales. Since the outcrops of the Taru Grits is about 12 miles broad, and the dip not less than 5°, the thickness of the grits is at least 5,000 feet. There is, therefore, no chance of the boring reaching the base of the grits. Further, it is evident that the conformation of the ground, considered in relation to the geological structure cannot provide sufficient "head" to cause a flowing well.

Samburu is 910 feet above sea-level, and the bore was carried to a depth of 527 feet. The continuation of the bore for another three hundred feet would test in a conclusive manner the presence of a reservoir of water at a low level; but, if the water were found, the cost of pumping, apart from interest on capital outlay in widening the bore and in machinery, would be greater than that of the present system of running water-tanks on the trains.

(*c.*) A boring put down west of Samburu, which would reach the base of the grits at a moderate depth (say 200 feet) has nothing to recommend it. Whilst a basin-like hollow in the underlying floor of gneiss might hold water at a moderate depth, the prediction of the site of such a hollow is practically impossible; and, if struck by chance, the supply could not be relied on as permanent, on account of the small percolation from the surface.

(*d.*) Apart from such considerations as the cost of the works and the large loss by evaporation, the country where water is required is not very suitable for the construction of storage reservoirs. A more suitable position would be in the relatively deep valleys south of Maji-ya-Chumvi or of mile 36. Here a site could be selected having an impervious floor of shales and a large catchment basin, whilst the dam would be relatively short. As, however, such a site would be below and east of that part of the railway where water is required, the subject need not be considered further.

(6) *Water Resources on Mombasa Island.*

(*a.*) The present supply.

(*b.*) The prospect of success of a deep bore

(*a.*) On Mombasa Island the supply of water is obtained at present partly from stored rain-water and partly from shallow wells sunk in the coral-reef limestone or Kilindini sands. The wells are 65 to 70 feet deep, *i.e.*, they are sunk to sea-level. The water is hard and slightly brackish, but the salinity is not due to the percolation of sea-water, as shown by the following analyses of water from Kilindini wells, by Messrs. Stanger and Blount:—

——	No. 1.	No. 2.
	Grains per gall.	Grains per gall.
Silica (SiO_2)	4·34	3·81
Alumina and Ferric oxide (Al_2O_3-Fe_2O_3)...	0·25	—
Lime (CaO)	13·06	10·29
Magnesia (MgO)	3·39	1·73
Soda (Na_2O)	6·42	5·27
Sulphuric anhydride (SO_3)	0·82	nil
Carbonic anhydride (CO_2)	10·32	11·88
Chlorine (Cl)...	8·61	3·09
	46·21	36·07
Deduct oxygen equivalent to Cl	1·94	0·70
	44·27	35·37
Combined water, organic matter and loss	7·67	4·53
Total solids	51·94	39·90
The chief salts probably present are therefore—		
Calcium carbonate	23·32	18·38
Magnesium carbonate	—	3·63
Magnesium sulphate	1·23	—
Magnesium chloride	4·70	—
Sodium carbonate...	—	4·41
Sodium chloride	8·40	5·09

The salts are present in proportions altogether different to the proportions found in sea-water, whilst the great excess of calcium carbonate is due to the percolation of rain-water from the surface through the coral limestone and sands, in which there is abundant calcite.

The ground-water is replenished by percolating rain-water and is held up by the sea. Since the rocks are very porous, the water readily escapes out to sea by seepage along the shores, particularly between tide-marks. Hence the water-table has a very gentle gradient and rises very little above high-water mark. A well sunk below high-water mark, at almost any spot on the island, is practically certain to tap this supply of slightly saline water.

(*b.*) In the likely event of a larger supply of water being required at Mombasa, the possibility of a deep boring proving

successful may be considered, though the information available is not as full as could be desired. A deep bore put down on Mombasa Island would, after piercing the coral limestone or Kilindini Sands, pass through the impervious Changamwe Shales and finally enter the porous Mazeras Sandstones. The examination of the outcrop of the Mazeras Sandstones, described previously, showed that the water-table in them is at a low level. The sandstones have been cut down to sea-level in the estuary of the Mwachi River, and here water escapes from them in small springs at and below the level of high-tide mark. Beneath Mombasa the water must be under considerable pressure and would rise in the bore-hole to within easy pumping distance of the surface, but the "head" of water is insufficient to produce a flow at the surface.

The depth to which such a boring would have to be carried depends largely on the thickness of the Changamwe Shales. With the information at hand a reliable estimate of the total thickness cannot be made. Owing to the uniformity of the beds it is impossible to make allowances for the folding and faulting between the Makupa Bridge and Changamwe. Again, for 5 miles (Changamwe to mile 9) the shales are not exposed along the railway; and the bluffs of Port Tudor and Port Reitz, whilst sufficient to prove the continuity of the shales, are too overgrown to give precise information as to thickness of the beds. The careful collection and identification of fossils would probably show to what extent they are repeated at the surface. From mile 9 to the top of the Mazeras Sandstones the beds are not greatly disturbed, and a calculation from dips plotted on a large-scale map gives 1,500 feet as the thickness of the shales between these points.

It appears that a boring on Mombasa Island might have to pierce a very great thickness of shales, but one put down near mile 9 may be expected to strike water at a depth of, roughly, 1,600 feet. A more convenient site might, perhaps, be selected on the shores of Port Tudor and Port Reitz. The ironstone-nodules, which occur on some horizons in the Changamwe Shales, might prove troublesome in sinking the bore, otherwise, the strata are "soft" with only a few hard beds.

The fact that the Mazeras Sandstones dip seawards beneath the impervious Changamwe Shales is generally favourable to the success of artesian wells along the coast, where this structure obtains. Other places on the coast may be in a more favourable position than Mombasa for obtaining water in this manner, but an examination of the geological structure of the district is necessary.

II.—The Gneissic Region.

(*a.*) Extent.
(*b.*) Mineral composition of the gneiss.
(*c.*) Gneiss in the country between Maungu and Machakos Road Station.
(*d.*) Gneiss at Fort Hall.

(*e.*) Gneiss in Elgeyo.
(*f.*) Gneiss around Muhoroni.

(*a.*) The second region is that occupied by the Archaean Gneiss and stretches from the inner margin of the Coastal Belt (mile 57) inland to the edge of the Kapiti and Athi Plains (mile 283), thus including the greater part of the eastern half of the Protectorate. Within this region the gneiss—well-called the foundation of the African Continent—forms bold hill ranges and isolated peaks. There are, however, several areas where it is covered by volcanic rocks of the same general age as those of the Rift Valley. These volcanic rocks occasionally form conspicuous hills, which are in some cases volcanoes only recently extinct.

Three other districts further west where gneiss crops out at the surface will be noticed later.

The hill ranges of gneiss commonly trend from north-north-west to south-south-east, a direction parallel to the foliation of the gneiss and to one of the sets of joints which traverse it. They rise with almost precipitous sides to heights of from 1,000 to 2,000 feet above the surrounding plains. In addition to the hill ranges, there are many peaks and isolated rocks of various heights dotted about the plains. These "monadknocks" form a characteristic feature of the scenery in the arid or semi-arid gneissic region of Africa.

(*b.*) The gneiss is a coarse-grained metamorphic rock, which has undergone total recrystallisation, whilst buried at great depths in the earth's crust. The crystalline grains, of which it is composed, tend to be of uniform size. There is no recognisable order of crystallisation, as in a granite, but each grain interferes with its neighbour's proper development of form.

The gneiss has frequently been referred to as "granite" by travellers, but throughout the district traversed no granite was met with, nor, indeed, was there found any igneous rock intruded into the gneiss, unless the veins of pegmatite can be claimed as igneous intrusions.

The gneiss is usually well foliated, the bands rich in darker constituents forming the smaller portion of the rock, but sometimes they predominate. The chief constituents are quartz, felspar (mostly acid plagioclase and microcline), hornblende, and biotite. Other common minerals, abundant in certain localities, are augite, muscovite, garnet, magnetite, and calcite, and, in very small quantities, graphite, zircon, apatite, scapolite, rutile, tourmaline, and sphene.

(*c.*) One of the commonest varieties of gneiss is a pale rock consisting of a quartz-felspar mosaic speckled with flakes of black mica and hornblende. The darker bands in the rock, which are often present in small amount only, consist largely of biotite and hornblende with smaller quantities of felspar and quartz. This variety is well seen at Maungu. It has sometimes been mistaken for a sandstone by travellers.

The hills around Voi, including the Sagala and Ndi Hills, consist of gneiss in which the dark constituent is generally hornblende associated sometimes with augite, sometimes with biotite. Garnet in small crystals of a port-wine tint is a common constituent of the gneiss. In the dark-coloured bands, which are seldom more than a foot thick, it builds large crystals half an inch or more across, but it contains many inclusions of other minerals.

The gneiss is traversed by many veins and strings of coarsely crystalline pegmatite, which consists chiefly of quartz and felspar. Mica is sometimes present, but only in small scales not more than an inch in diameter. The veins ramify through the gneiss and frequently anastomose, whilst their crystals interlock with those of the country rock. All gradations between normal pegmatites and pure quartz veins may be found. It is probable that pegmatites were not intruded from below as offshoots of a plutonic magma, but originated during the latter stages of metamorphism of the gneiss by some leaching process.

In some of the more quartzose pegmatites garnet is abundant, and magnetite often occurs in scattered crytsals along certain bands of the more quartzose pegmatites. An analysis of the magnetite made at the Imperial Institute gave the following results:—

	Per cent.	
Ferric oxide (Fe_2O_3) ...	66·98	Equal to 66 per cent. of metallic iron.
Ferrous oxide (FeO) ...	21·01	
Manganous oxide (MnO)	0·26	
Lime (CaO)	0·33	
Baryta (BaO)	0·62	
Magnesia (MgO) ...	0·25	
Titanium dioxide (TiO_2)	8·70	Equal to 5·2 per cent. of titanium.
Silica (SiO_2)	1·42	
Phosphoric anhydride (P_2O_5).	0·03	Equal to ·013 per cent. of phosphorus.
Sulphuric anhydride (SO_3).	0·02	Equal to ·008 per cent. of sulphur.
Combined water (H_2O)...	0·55	

The high percentage of titanium points to an admixture of ilmenite, whilst the silica is due to included quartz. The magnetite has been found in small quantities over a very large district. Walker reported its occurrence at many localities between Taveta and the Mumoni Mountains, but it has not yet been found in sufficient quantity to repay working as an iron ore.

A white, or pale bluish-grey, coarsely crystalline marble is involved in the gneissic series. It is exposed along the Voi-Taveta Road from a point about 2½ miles south of the railway

crossing to beyond the Voi River. Walker also reported its occurrence further to the south between Bura and Taveta. In a north-north-westerly direction a similar marble was found a short distance west of the railway at mile 136/5 (north of Tsavo Station), and a large outcrop is crossed by the line about half a mile south of Kenani Railway Station. At the latter locality scales of graphite are scattered in bands through the limestone and the neighbouring gneiss. Much further to the north, but along the same line, Walker reported a similar limestone in the Kitui District. In the outcrops examined it was too coarse in the grain to have any value as an ornamental stone. It is, as a rule, very pure, and produces a "fat" lime on calcination.

Between Kenani and Kibwezi, the numerous cuttings on the railway show gneiss traversed by pegmatite and quartz veins. The Kyulu Mountains situated south-west of Kenani are reported by Gibson to be volcanic, whilst the Ongalea Mountains, situated south-west of Kibwezi, appear to be partly volcanic, partly of gneiss. On the north-east side of the railway the rectangular features of the Ndungu and Yatta Plateau, which rises up immediately beyond the Athi River, forms a striking contrast to the irregularly curved outline of the gneissic hills. Gregory and Walker refer to it as a lava-capped plateau, which stretches in a south-easterly direction some miles beyond the junction of the Athi and Tsavo Rivers and "to the north-west it [a nepheline-phonolite] appears to be continuous round the bend of the Athi River with the lavas of the Nairobi District." Though sometimes only three or four miles wide, its length is about 170 miles, and it was probably erupted through a fissure parallel to its length.

Between Kibwezi (mile 193/14) and a point on the railway near mile 198, the gneiss is overlain by an olivine-basalt lava of no great thickness. Its surface is very irregular and is covered by dense forest. The basalt is very vesicular and traversed by regular joints. A small stream issues from its base at Kibwezi.

Gneiss again appears at the surface beyond mile 198, and forms the bed-rock of the country around Makindu and for some miles to the north-west.

From near mile 215 to beyond mile 250 the railway traverses a plain flooded by olivine-basalt lava, from which rise several small volcanic craters to the south of Simba Railway Station.

The higher hills in the neighbourhood of Sultan Hamond are composed of gneiss. This rock also forms the country rock on both sides of the railway as far as mile 283, where it passes beneath the lava-plains of Kapiti. It continues at the surface in a northward direction and forms the hills called Wami and Ulukenia, which bound the plains on the east. The gneiss of Wami and the Kiu district is a pale-coloured rock consisting of quartz and felspar, with small quantities of muscovite,

biotite, magnetite, and zircon. It is traversed by numerous veins of pegmatite and quartz.

Gneiss appears to occupy the whole of the Machakos District eastward to the Athi River and northward to the neighbourhood of Doenyo Sabuk, where it is overlain by the volcanic rocks. It appears at the surface again in the big elbow bend of the Thika-Thika River and also in the neighbourhood of Fort Hall.

(*d.*) The Fort Hall "boma" stands on the edge of a small area of gneiss, which stretches north and north-east to the Tana River. The gneiss is similar to that already described. To the west and south-west of the "boma" the gneiss passes beneath volcanic rocks. That the latter have been erupted on an irregular land surface of gneiss similar to the hilly country, which it forms to-day, is nowhere better illustrated than here. Not only is the boundary a very irregular one, but amidst the volcanic rocks there appear small areas of gneiss, which represent the tops of buried hills now being laid bare again by denudation of the volcanic rocks. Several such patches of gneiss were noticed on the Fort Hall-Nairobi Road in the Kathomba and Meragua Valleys, and along the course of the track north of Fort Hall in the direction of Nyeri.

(*e.*) The huge fault-scarp of Elgeyo on the west side of the Rift Valley consists of rocks of the Volcanic Series resting on an irregular surface of gneiss, which crops out in a narrow band along the base of the scarp. Walker reported the occurrence of eclogites here, in addition to the commoner varieties of gneiss.

(*f.*) West of the Rift Valley the gneiss appears from beneath the Volcanic Series in the neighbourhood of Muhoroni. Along the railway it is first seen at mile 541/14, and crops out at intervals as far, at least, as mile 548/9. Beyond this point, the black cotton soil completely obscures the underlying rock. The gneiss is a pale grey or pinkish banded rock, consisting of quartz and felspar with a small amount of mica in thin lenticular bands. Around Muhoroni (mile 547) the conical hills and irregular surface of the area occupied by gneiss contrast strongly with the flat-topped terraced hills of the Volcanic rocks.

(2) *Superficial Deposits on the Gneiss.*

(*a.*) The red earth.

(*b.*) Limestone (kunkar).

(*c.*) Effect of destruction of native forest.

(*d.*) Black cotton soil and *kunkar*.

(*a.*) The most widely spread superficial deposit in the gneissic region is a bright red sandy earth, which mantles the plains and the base of the hills. As seen from the summit

of one of the latter, it appears to be absolutely flat, but it rises appreciably around the base of the hills, where it forms gently-graded cones, which lead up to some stream-course or depression in the hills.

The red earth is formed entirely by the decomposition and disintegration of the gneiss. The felspar, hornblende, and augite are the constituents, which decompose most readily and form a clay stained bright red by ferric oxide. Their decomposition brings about the disintegration of the gneiss. The mineral constituents, which do not readily decompose, such as the quartz, magnetite, and garnet are broken up and mixed with the red clay. Thus, on the plains a fairly uniform deposit of red earth, which is distinctly gritty to the touch, has accumulated sometimes to a great thickness. The bore at Mackinnon Road Station proved it to be 63 feet in depth. The site of the bore is near the edge of one of the numerous hollows which trend from south to north across the Taru Plain. On the ridges, which separate the hollows, the gneiss occasionally comes close to the surface, the red earth being only a few feet thick. A top layer 2 to 4 feet thick is often more sandy and porous than the underlying red earth, and is due to the leaching action of the rain in washing out the finer clayey particles and carrying them down to lower levels.

(*b.*) The accumulation of limestone nodules, known by the Indian name *kunkar*, is frequently found at a depth of a few feet in the red earth. It is sometimes the most easily accessible material for ballasting the line or for top-dressing red earth ballast to keep down the dust. It was noticed that the largest deposits occurred on sloping ground just above the surface level of the neighbouring hollows. Its origin explains its apparently erratic distribution. Small quantities of lime are set free during the decomposition of the plagioclase felspar, hornblende, &c. of the gneiss. It is dissolved by the percolating rain-water, containing carbonic acid, and is carried downwards. Solar evaporation, succeeding the rain, dries the surface. Much of the water reascends by capillarity, and is evaporated both on and beneath the surface. During this process the carbon dioxide is lost, and the lime deposited. The downward percolation of the rain is checked at the base of the top sandy layer by the less pervious earth below, so that the water tends to flow laterally along the junction towards lower ground. At the same time the process outlined above takes place, and the lime is deposited chiefly towards the lower end of the slopes, *e.g.*, at miles 72 and 77.

The lime nodules may become cemented into a bed of limestone, such as is worked at Makindu. An analysis of this limestone made at the Imperial Institute gave the following results:—

	Per cent.
Lime (CaO)	47·50
Magnesia (MgO)	2·90
Carbonic dioxide (CO_2)	33·63
Ferric oxide (Fe_2O_3)	2·58
Alumina (Al_2O_3)	3·00
Phosphoric oxide (P_2O_5)	0·59
Residue insoluble in acids, chiefly silica (SiO_2).	7·63
Moisture and combined water ...	2·42
	100·25

The impurities are due to the inclusion of small quantities of red earth. On calcination, the *kunkar* yields a lime which is found suitable for ordinary building purposes.

(*c.*) In places where the dense indigenous forest covers the red earth, it is uniform throughout its whole depth. The kunkar is then found in lenticular patches at, or close to, the junction with the underlying rock. If for any reason the forest is removed from a natural slope the rain carries off the red earth, and leaves an almost bare surface scattered over with lumps of quartz and magnetite, whilst the *kunkar* is left in mounds up to 4 or 5 feet in height and 10 yards in diameter. Several small areas in the neighbourhood of Voi have been ruined in this manner, a particularly good example being seen half a mile north-west of Voi Railway Station. Whilst the natural forest is rich in *Sanseviera* and other valuable plants, the ground stripped of its sub-soil can support only "wait-a-bit" and other thorns. It is another example of the irreparable damage caused by the careless destruction of forest.

There can be no doubt that the red earth would be exceedingly fertile under suitable irrigation. When a permanent stream reaches it, the water is sooner or later absorbed, and thus naturally under-irrigates a certain tract of land. The area naturally irrigated is, however, small, and is usually occupied by the few native plantations which occur upon the low ground.

On the hills the decomposition of the gneiss takes place more by disintegration of the surface under atmospheric changes than by decomposition of its constituents. The torrential rains carry down the disintegrated material, and spread it out in thin sheets around the base of the hills. The heavier minerals, viz., the magnetite and garnet, with some hornblende, augite, zircon, &c., are concentrated in the ephemeral stream-courses, whilst the lighter minerals may be carried out a mile or more from the foot of the hills.

The examination of the heavy residues has not resulted in the discovery of any of the rarer marketable minerals.

Though there are large areas of gneiss which have not been prospected, few minerals of economic value have been obtained from it up to the present. Those which have been reported have not been found in the requisite quantity or condition. Building material is at present in great demand. The use of the *kunkar* as a source of building lime has already been noticed. In the Nairobi and Rift Valley districts, where most of the building is now going on, the rocks are not capable of yielding a satisfactory sand, but the decomposition of the more quartzose bands in the gneiss produces a sand which when washed in the nullahs is clean and sharp. The localities where a good sand can be obtained nearest to the above-named districts are Kiu, on the east, and Muhoroni, on the west. Although Machakos Road Station, on the east, is on gneiss and nine miles nearer Nairobi, the nullahs are too steeply graded to let the sand lie. It is washed down towards Kiu.

(*d.*) The black cotton soil covers only relatively small areas in that part of the gneissic region traversed by the Uganda Railway. It will be described more fully in treating of the sub-soil of the volcanic region, where it spreads over vast areas. Here it will be sufficient to state that it is found only on ground which is poorly under-drained on account of an impervious rock-floor, and liable to collect water during the rains. The chief areas where this sub-soil is found near the railway in the gneissic region, are (1) the low ground near Makindu, (2) the low-lying land near Sultan Hamoud, (3) the plains around Kibigori. Of these, the last named is the most important tract from an agricultural point of view.

The black cotton soil also forms terraces along the banks of the streams, especially beside the more permanent rivers flowing in a gently-graded valley, *e.g.*, the Voi River. A bed of *kunkar* is commonly found beneath the black soil along the edge of the stream-course. Its origin is similar to that of the *kunkar* in the red earth already described. The lime is dissolved by the rain-water percolating down towards the streams. The black cotton soil is retentive of moisture, and becomes more or less water-logged during the wet seasons. As the water seeps out into the river channels, the carbon dioxide escapes and the lime is deposited.

(3) *Water Resources in the Gneissic Region.*

Supply from deep wells.—The gneiss is essentially a non-porous rock and cannot hold water except in the minutest quantities. Whilst most of the rain falling on the hills of gneiss either runs off or is evaporated, a small portion does find its way down joints, cracks, and fissures, and issues in springs at a lower level on the hill side. Water, however, is required on the plains, and here it is probable that the joints

and fissures contain no appreciable quantity of water. In the Mackinnon Road bore several joints and fissures were passed through but no water was found. Further, it must be remembered that the chances of striking water-bearing cracks in an ill-watered country, subject to intense solar evaporation, are exceedingly small, and that artesian wells cannot be expected. It has been suggested to me that a line of deep bores should be made in the neighbourhood of the railway between Escarpment and the east end of the Taru Plain. So far as the line between mile 283 and the east end of the Taru Plain is concerned, it is highly probable that none of them would be successful, but, if one or more did strike water, the amount that could be pumped would be small, the benefit of which would probably not compensate for the cost of boring.

Supply from shallow wells.—The success of shallow wells on the Taru Plain in the neighbourhood of the railway is but little more hopeful than that of a deep well. The most favourable sites for shallow wells in the superficial deposits are in the hollows on either side of Maungu Station. These hollows receive the water draining off the sides of Maungu Hill. The portion which sinks deeply into the red earth, must seep away northwards towards the depression which runs from Voi towards Kilifi. A well sunk to bed-rock in the floor of one of these hollows would intercept some of this seepage water. The supply might be sufficient for the station and the neighbouring landy, but it might fail towards the end of the dry season. The construction of an "underground dam" to intercept this seepage water (supposing its presence proved) would cost the railway far more than the present method of running water-tanks on the trains, so that it may be left out of account until a scheme of irrigation for the Taru Plain be under consideration.

Several attempts have been made to obtain water from wells sunk in the red earth, more especially in the Taru Plain. The attempts have been uniformly unsuccessful, and in most cases the reason is clear. About one mile east of Mackinnon Road Station a small patch of black clay soil, containing pools of saline water, stands in a slight hollow on the top of a low ridge. A well sunk beside it reached gneiss at a depth of a few feet, but naturally no more water was obtained. The presence of the swamp is due to the solid rock lying close beneath the surface and holding up the water, which has become saline by continued evaporation. The action of the alkaline salts has, as is usual, turned the soil black. For the same reasons, water is found beside the railway at mile 57, but no further quantity would be obtained from a well at that place. The well at mile 58/10 often holds water for a similar reason. The well at Mackinnon Road Station was not sunk deep enough to test the presence of seepage water near the base of the red earth.

III.—The Volcanic Region.

1. General Description.
2. The Rocks of the Volcanic Region.
3. Detailed Description of the Volcanic Region.
4. The Superficial Deposits of the Volcanic Region.
5. Remarks on the Water Resources.

(1) *General Description.*

The region underlain by volcanic rocks includes all the central and much of the western parts of the Protectorate. South of latitude 1° N., the volcanic rocks occupy an area which can scarcely be less than 24,000 square miles. This area includes all the "Highlands" at altitudes of 5,000 feet and upwards, where the climate is comparatively cool and most suitable for European colonisation.

The volcanic region is traversed from north to south by the great trough of the Rift Valley, on each side of which the ground rises in one or more precipitous scarps. The crests of the topmost scarps form lines of high ground, which reach elevations of from 7,000 to 9,000 feet above the sea. From the crests of the scarps the ground sinks gradually on the west to the basin of the Victoria Nyanza, and on the east to the Kapiti and Athi Plains.

The broad physical features are based on a geological structure, which is simple in its outline. Both the eastern or Kikuyu and the western or Nandi slopes are built up of a succession of lava-flows and volcanic-tuffs, which dip in each case with the slope of the surface. The average angle of dip, however, is less than the average slope of the surface, so that as we ascend from the east or from west to the edge of the Rift Valley newer and newer rocks are encountered. This structure has an important bearing on the movements of underground water (Section 5).

If the edges of the beds exposed in the scarps of the Rift Valley be prolonged in imagination until they meet, the volcanic rocks would form a broad arch some 130 miles across. This arch is broken by the Rift Valley, which has been regarded since the publication of Professor Suess' Memoir in 1891, as a strip of sunken country. The keystone, as it were, of the arch has fallen in, whilst the neighbouring voussoirs have slipped down, but not quite so far as the keystone.

The chief faults which bound the subsided strips of country are not actually seen in section. Perhaps the best proof that the scarps are fault-scarps, and not features due to denudation, is that the crest of a scarp does not follow one particular lava, but that the beds run obliquely across the face of the scarp. Long lines of cliff, which cut obliquely across a series of soft and hard beds, must be either fault-scarps or sea cliffs; and

the latter interpretation is out of the question in this case. Details of the structure of some fault-scarps at Naivasha are given in Section 3 (*e*).

The subsidences doubtless took place slowly and were protracted over a lengthened interval of time. Evidence for this is afforded by the system of river drainage in the case of the Laikipia scarp, and is discussed in Section 3 (*e*). I have not been able to follow out all the sub-divisions of the volcanic series proposed by Professor Gregory in his book "The Great Rift Valley," but there are clearly two phases of vulcanicity, the earlier of which is, on the whole, older, whilst the later is, on the whole, younger than the subsidences. It cannot, however, be assumed that whilst the earth movements were taking place, volcanic action was dormant.

The eruptions which poured forth the earlier lavas belong to the "plateau" or "fissure" type. The liquid magma welled up through fissures, and it would appear that no craters were formed. The predominance of certain types of lava in particular districts, *e.g.*, basalts between Lake Baringo and Lake Hannington, and the abundance of a particular kind of trachyte between Kijabe and Kikuyu suggests that there were a number of centres each of which usually poured forth its own kind of lava.

The vulcanicity which followed the subsidences of the Rift Valley, was manifested by the formation of cones with craters. The largest of these volcanoes in the Rift Valley are Larsagut, Suswa, Longonot, Eburu, Menengai, and Eldalat, whilst a host of smaller cones rise from the plains on the east side of Lake Naivasha and to the north of Eburu. On the eastern wall of the Rift Valley, Doenyo Lamayu, near Kikuyu; Kibibieri, near Naivasha; Nandarua and the heights of the Aberdare Mountains; are probably all the denuded remnants of a series of volcanic cones built up on the plateau-lavas.

Altogether east of the Rift Valley, the cone type of vulcanicity is represented by the snow-capped giants, Kenya and Kilimanjaro; the volcanic line of the Kyulu and Ongalea Mountains; and the small denuded cones, which dot the plains on the west and south-west of Kenya.

The remarkable perfection of many of the craters in the Rift Valley testifies to the late geological date of the eruptions, but the freshness of the cones is in part due to the relative aridity of the climate. The phenomena, which usually accompany the dying phases of vulcanicity, are represented by numerous "fumaroles," which constantly emit clouds of steam. A line of fumaroles issues along the course of a "comendite" dyke in the Enjororowa Valley south of Naivasha. The rocks beside the vents are more or less silicified and contain small quantities of iron sulphides. Other fumaroles occur on the northern flanks of Eburu and near the railway at mile 417. The issuing steam seems to be quite pure.

Warm springs are known in the Kedong Valley and at Maji Moto near the northern end of Lake Hannington. A copious spring charged with gas, which is mainly if not entirely carbon dioxide, issues in one of the small valleys at the head of the Ndo Valley (Kamasia). In the Kedong Valley, a "mofette," commonly known as the "stink-hole," emits a gas, which is said to be poisonous, but I am not aware that its nature has been proved.

Whilst there is abundant testimony of active vulcanicity in geologically recent times—indeed, a volcano situated near the south end of Lake Rudolf is said to be active yet—the age of the older plateau-lavas remains unknown; but various reasons have been advanced for believing them to be of Tertiary age, or, at any rate, not older than the Upper Cretaceous. The only fossils known from the volcanic rocks are the bits of fossil wood in volcanic tuffs at Fort Ternan Railway Station and on Rusinga Island (Victoria Nyanza); but they are too poorly preserved for determination.

Although a vast interval of time must have elapsed between the formation of the gneiss and the earliest volcanic eruptions, there is no evidence that any other formation lies between the volcanic rocks and the gneiss in the region east of the Rift Valley. West of the Rift Valley the same statement holds good for the districts neighbouring the course of the railway, but there are records from the Nandi and Samia Hills of another formation consisting of quartzites, phyllites, and ferruginous schists, which appear to be identical with the Karagwe series of Uganda (*see* Scott-Elliott and Gregory, and Walker). The Karagwe series lies between the gneiss and the volcanic rocks, but it has only a limited extension beneath the volcanic rocks of East Africa.

(2) *The Rocks of the Volcanic Region.*

The rocks of the volcanic region comprise (*a*) lavas, (*b*) tuffs, agglomerates and ashes, (*c*) interbedded sediments, (*d*) dykes.

(*a*.) The lavas preponderate over the other kinds of rock, They occur in nearly horizontal sheets, commonly from 20 to 40 feet thick, though some of them appear to be over 100 feet in thickness. They exhibit all the characters usually found in lava-flows. The upper and under surfaces are vesicular and sometimes "ropy." The vesicular crust on the upper surface is sometimes 3 or 4 feet thick, and the vesicles may be filled with zeolites, calcite, chalcedony, opal, or white clay. The yellowish "flints" found in the soil are amygdules set free by decomposition of the lavas. Flow-structure is sometimes well developed, and may be due to a parallel orientation of the mineral constituents, as in the trachytes, or to slight differences in the composition or structure of contiguous bands in the rock, as in the rhyolites. Though the jointing is usually

of the ordinary "cuboidal" kind, a jointing into hexagonal columns is found in the middle parts of some lavas, more particularly of the basalts. The lavas seem to have been erupted one after another without any great lapse of time between the outpourings; at least, it is very rare to find evidence of the weathering of a flow, before it was covered by the succeeding flow.

Although there are many varieties which grade into one another, the lavas may be divided into (a) basalts, (b) nephelinites, (c) phonolites, (d) trachytes, (e) rhyolites. Dr. G. T. Prior has given a very full account of the microscopic petrology of these rocks in the "Mineralogical Magazine" for 1903.

(a.) The basalts are black or nearly black rocks, the fine-grained matrix of which consists of plagioclase felspar, augite, and magnetite. In this base, there are usually scattered large black crystals of augite, smaller ones of olivine, and in some rocks large crystals of plagioclase felspar.

Though widely distributed, they occur abundantly in certain districts and are almost unrepresented in intervening tracts. They form the greater part of the scarp east of Lake Baringo, and are common in the hills between this scarp and Lake Hannington. Most of the lavas between the Suguroi and Nduga Rivers, which cross the track from Nyeri to Rumuruti, are basalts.

(b.) The nephelinites are heavy, dark greenish-black rocks, which were found only along the course of the railway on both sides of Lumbwa and Fort Ternan Stations. The fine-grained base consists of nepheline, augite, and magnetite, and through it are scattered phenocrysts of augite, and usually some of nepheline. In some varieties olivine appears, in others melilite and perofskite. They are generally a good deal decomposed near the surface.

(c.) Phonolite is the most widely distributed if not the most abundant type of lava, and occurs in several varieties, which have been described by Dr. Prior. In colour they are dark grey, or brown, sometimes almost as dark as the basalts, but they are not so heavy.

A fresh surface of the rock usually shows large crystals of alkali-felspar, sometimes greasy brownish crystals of nepheline and small crystals of augite in a fine-grained ground mass, which microscopic examination shows to consist of nepheline, alkali-felspar, catophorite, cossyrite, aegirine, augite, apatite, magnetite, and an isotropic mineral, probably sodalite or analcite.

(d.) The trachytes are paler coloured than the phonolites or basalts, being of greenish, bluish, or yellowish grey colour. The greater part of the rock consists of small sanidine felspar crystals, amongst which are minute grains of aegirine, augite, and sometimes catophorite and cossyrite. Generally they contain porphyritic crystals of alkali-felspar.

The surface is rough and harsh, and the fracture glistening. They exhibit a good flow structure, which is due to the parallel arrangement of the felspar crystals. A closely spaced, platy jointing, parallel to the flow structure, causes the rock to split readily into slabs, but it does not break at all easily across the flow structure. When the flow structure and platy jointing are curved, the rock is very difficult to quarry and dress, as in the case of the rock of Nairobi Hill. If used for macadamising roads they break down to a powder which does not bind, and leaves the roads dusty in the dry seasons. The trachytes contain numerous small "miarolitic" cavities, but this porosity does not increase their water-transmitting powers, because the cavities are not in communication with one another, but are separated by partitions of rock as impervious as an ordinary lava.

There are several varieties of trachyte, one of which closely resembles phonolite, whilst others contain quartz in the base. The majority of the lavas exposed along the railway between the outskirts of Nairobi and Kijabe Station are of the latter type.

(e.) Rhyolites. Under this name may be classed a number of dull green rocks, which contain a few phenocrysts of alkali felspar (sanidine and anorthoclase). Their chief characteristic is a streakiness, which is marked by lenticles of black glass (obsidian), alternating with bands of greenish glass, which is more or less devitrified. Since they frequently contain numerous bits of lava and pumice, they may be mistaken for tuffs.

These rocks are fairly "soft" when freshly quarried, but harden considerably on exposure to the sun. They split without difficulty in any direction, so that they are easily dressed to shape. They have been used by the Public Works Engineers in the construction of buildings at Naivasha and Fort Hall. In the natural outcrops, they weather well, and form prominent features on a hill slope, *e.g.*, the line of crags on the south side of Mathioya valley, immediately west of Fort Hall, and the crags north of the Meragua bridge on the Fort Hall Road. The rocky features on the scarps east of Gilgil Railway Station are, in many cases, outcrops of rhyolite. This rock also forms the sill of the waterfalls on the Ruiru and Chania Rivers in the Kikuyu District.

Under the rhyolites must be placed some crystalline rocks, called "comendites." These are pale yellowish or greyish rocks consisting of a fine-grained base of felspar, throughout which are scattered ill-defined spots of a dark mineral, which is generally riebeckite. Phenocrysts of quartz and sanidine felspar are also present.

These rocks are not common in East Africa. They form lines of crag in the Tigrish Valley about 2½ hours' march below Eldoma Ravine "boma," and they also occur in the valley (Enjororowa) south of Lake Naivasha.

Obsidian and pitchstone are found in the Rift Valley amongst the lavas, which have been erupted from the later volcanoes, *e.g.*, Eburu and the smaller craters which lie to the east of Longonot, but they are rare amongst the lavas which form the plateaux and fault-scarps. Their composition has been shown by Dr. Prior to correspond to that of a phonolite in some cases, to that of a rhyolite in others.

(*b.*) Tuffs and agglomerates are found interstratified with the lavas of the fault-scarps and plains. They consist of fragments of lava, broken crystals and microlites of the minerals, which occur in the lavas, and altered bits of pumice. The lava fragments are generally quite small, but in the agglomerate, which is seen in many of the railway cuttings between Lumbwa and Muhoroni, there are huge blocks weighing many tons. The agglomerates near the base of the volcanic rocks contain lumps of gneiss, and those on Rusinga Island contain blocks of granite.

The finer tuffs are usually more or less stratified and of a greenish colour, but weather readily to a pale grey or yellow colour.

The volcanoes of the Rift Valley, more especially the smaller cones, are largely composed of a greenish-grey volcanic ash. The ash has also been blown considerable distances during the eruptions, and is found mixed with sub-soil and banked up against the fault-scarps in several places. The banks of pumiceous "lapilli," which are seen in the neighbourhood of Gilgil, have had a similar origin. The lapilli are used for gravelling the station platforms.

A very white pumice, in lumps from 2 to 4 inches long, forms terraces 10 feet or more in height at the bottom of the gorge, about 7 miles south of the south end of Lake Naivasha.

(*c.*) Beds of sedimentary origin are not of frequent occurrence in the volcanic region. They consist of partly consolidated sand and fine gravel, and sometimes of greenish mudstones, or white thinly-laminated shales. Details are given in describing the localities where they were found, viz., Naivasha, near Gilgil, on the scarp east of Lake Hannington, in the Ndo Valley (Elgeyo), &c. These sediments by the amount of dip of their bedding planes give the most reliable evidence of the nature of the earth-movements which have affected the volcanic region.

(*d.*) Intrusive rocks are rare in the volcanic region. No sills were met with and only a few dykes. The latter seem to be limited to the neighbourhood of the later volcanic cones, and are not orientated in a common direction. They are usually closely related in petrographical character to some type of lava found in the neighbourhood. A pebble of coarse-grained nepheline-syenite found in the bed of the River Loldama, which crosses the track between Nyeri and Rumuruti, points

to the occurrence of a mass of that rock on the eastern flank of the Aberdare Range.

(3.) *Detailed Description of the Volcanic Region.*

(*a.*) Kapiti and Athi Plains.
(*b.*) Nairobi Township.
(*c.*) Kikuyu District.
(*d.*) Kiambu, Fort Hall, Nyeri, Rumuruti.
(*e.*) Eastern Flank of Rift Valley.
(*f.*) Western Flank of Rift Valley.
(*g.*) The Nandi Slope.

(*a.*) *The Kapiti Plains* from the edge of the volcanic area (mile 283) to the neighbourhood of the Athi River (mile 310) is underlain by a phonolite containing large crystals of felspar and nepheline. In the bed of the Athi River another phonolite appears beneath it, whilst in the scarp north-west of the river other lavas come on above and continue beneath the Athi Plains to the outskirts of Nairobi.

(*b.*) *The Township of Nairobi* is defined by the circumference of a circle, which has a radius of $1\frac{1}{2}$ miles. The central, eastern, and southern-eastern districts are relatively low-lying, being in fact a portion of the Athi Plains. In the south-west and west the ground rises abruptly to the higher plateau of Nairobi Hill, whilst on the north it rises with an easier gradient to the district called Parklands.

Within this area four distinct beds of rock crop out at the surface. These are in descending order:—

(4.) Trachyte.
(3.) Agglomerate.
(2.) Clay-stone (grey building stone).
(1.) Phonolite.

(1.) The lowest rock is a nearly black porphyritic phonolite, which crops out on the low ground south of a line drawn through the Railway Stores and the south-west end of the Railway Offices. It also appears on both sides of the Nairobi River, from the township boundary upwards to a short distance above the bridge on the Kiambu Road. It lies directly on the phonolite of the Ngong River, and these two lavas were pierced in the chisel bore which was put down in the yards of the railway workshops to a depth of 100 feet. Though difficult to break, it is likely to prove more satisfactory than the other local rocks for metalling the roads in Nairobi.

(2.) Overlying the phonolite is a pale grey, soft, porous stone about 12 feet in thickness. It is largely used as a building stone in Nairobi, on account of the ease with which it can be quarried and dressed into blocks. It is so porous

that when a dry piece is dropped into water it causes an effervescence, but no inconvenience has been found to result from this porosity.

No trace of flanking or cracking was noticed, even on the oldest buildings, but there is sometimes slight discolouration. On account of its "softness," it would be risky, if not dangerous, to use it in the construction of a high building.

The rock contains small scattered phenocrysts of sanidine felspar, but the ground mass is altered to a clay, in which are numerous small cavities like those in the trachytes. At its edges the rock becomes more compact, slightly vesicular, and shows a faint banding, but the mass of the rock is quite homogeneous and shows no signs of bedding. It seems to have been a lava, probably glassy in part, which has undergone a process of alteration similar to "kaolinisation." Similarly altered rocks have been termed "clay-stone," a name which seems quite appropriate to the rock under description.

Its outcrop in Nairobi may now be noted. From the quarries on the eastern side of the Nairobi River near the township boundary, the outcrop trends in one direction to the north-east, but passes outside the township before reaching the Race Course. In the other direction it runs parallel with the Nairobi River, but after passing below the Mohammedan cemetery it turns towards the north in the direction of the western corner of the Race Course. Its further outcrop in this direction appears to be checked by a fault, which throws the bed down below the level of the Nairobi River. The fault probably crosses the river about 100 yards above the bridge on the Kiambu Road and trends in a N.N.E. to S.S.W. direction. The fault was not actually seen, but the sudden change in the beds is most easily explained by its aid. On the western side of the Nairobi River the outcrop of the clay-stone can be followed from a point on the Kiambu Road about 400 yards south-west of the bridge, in a south-easterly direction, through the quarries below the railway "landies" as far as telegraph pole 324/9. Here the outcrop swings round sharply to the west-north-west, and passes beneath the carriage sheds and the railway station platform. It continues in the direction of the bridge near the Episcopal Church, but its exact outcrop was not seen here. The outcrop, however, must cross the stream and run southwards along the foot of the hill below the cemetery. The springs along this line are probably due to water escaping from the clay-stone and the overlying agglomerate.

A bed of the clay-stone is opened up in a quarry close to Ainsworth's Bridge. It is probably the same bed brought up to the surface by the south-easterly dip of the strata. Its outcrop was followed a few hundred yards up the Gara River.

In a south-easterly direction it disappears beneath the surface in the embayment of the papyrus swamp at the foot of the Sub-Commissioner's garden.

Other outcrops of clay-stone were noticed a short distance outside the township boundary on the road bounding Parklands on the north-west, about 250 yards from the Kikuyu "safari" road, and again in the valley of the Masari River on the prolongation of the road which bounds Parklands on the south-east.

(3.) Overlying the clay-stone is a bed of volcanic agglomerate, which reaches a total thickness of 45 to 50 feet. When fresh it is greenish in colour, but it weathers to a pale yellowish grey, mottled with patches of white. It is full of fragments of pumice, obsidian, phonolite and broken crystals, which are embedded in a fine matrix of volcanic ash.

The whole of the central and eastern part of Nairobi, from the Railway Station to Ainsworth's Bridge and from the foot of Nairobi Hill to the Masari River, is situated upon this agglomerate. It is usually found at a depth of one to four feet beneath the surface. It underlies the southern and eastern portion of Parklands, and appears again in the railway cuttings between mile 327/13 and mile 328.

The harder, unweathered parts of this agglomerate, more especially the bed which forms a distinct feature along the north-eastern side of the Nairobi River, has been quarried for use as a building-stone. When freshly quarried it is "soft" and easily dressed, but hardens on exposure to the sun. The surface is rough and blotchy, but if the fresh rock is used, it may be expected to stand quite as well as the clay-stone.

It will be evident that the clay-stone underlies the whole of the central and eastern parts of Nairobi, but except near its outcrop it is too deep to be quarried profitably.

(4.) Above the volcanic agglomerate comes a thick bed of trachyte, which forms Nairobi Hill. It is a pale greenish-grey rock with a harsh surface, which glistens with innumerable tiny felspar crystals. It also contains small quantities of cossyrite, catophorite, and aegirine in minute grains. This lava has a flow-structure due to the definite orientation of the felspar crystals, and consequently a "grain" along which it tends to split. The flow-structure is, however, so curved and twisted that it hinders rather than assists the working of the stone, whilst across the "grain," the stone is tough and difficult to break.

(*c.*) *The Kikuyu District.*—West of Nairobi, the country rises gradually to the "Escarpment" overlooking the Rift Valley. It is largely forest-covered, and is well watered by numerous streams, which run in steep-sided valleys usually from 50 to 150 feet deep. More especially near the stream

heads the valleys open out to form natural meadows, having a dark clay sub-soil. Over the rest of the district there is a uniform and often deep red clayey sub-soil (laterite), through which the volcanic rocks occasionally protrude on the flanks of the ravines.

The structure of the district is represented diagrammatically in Fig. 2.

Overlying the trachyte of Nairobi Hill is another variety of trachyte, first encountered on the railway at mile 330/9. It contains numerous phenocrysts of alkali-felspar and poecilitic quartz in the ground-mass. This variety of trachyte is by far the commonest lava between the above point and mile 367, near Kijabe Station. When fresh, *e.g.*, below the railway at mile 338/13 and at miles 364 and 366/10, it is hard, and banded by dark greenish and light grey bands. It is, however, usually decomposed, sometimes to a depth of 20 feet beneath the red earth. The banding disappears, and it passes into a soft pale grey rock, which easily crushes under a blow.

There are many flows of this quartz-bearing trachyte, which are sometimes separated by beds of tuffs or agglomerate, *e.g.*, in the bluff above mile 360/5. By the aid of these intercalated beds it is found that there is a general, though very gentle dip towards the south-east, the amount of which is less than the average slope of the ground.

(*d.*) *Nairobi to Kiambu, Fort Hall, Nyeri, and Rumuruti.*—The beds which underlie Nairobi also underlie the country along the line of the road between Nairobi and Kiambu. The volcanic agglomerate is exposed in the Masari and Kitasuru Rivers, where it is underlain by the soft clay-stone, as in Nairobi. Beyond the Kitasuru River the road passes on to the overlying trachytes, which continue to the Kasaraini River, where the agglomerate is again seen below the lava. Beyond the last named river, trachyte similar to that of Nairobi Hill forms the country rock around Kiambu Station as far as the Kiu River.

At the Kamiti River the road passes on to a hard bed of streaky rhyolite, which is also seen at the Ruiru River, and forms the sill of the Ruiru Falls situated nearly a mile below the bridge. It is likely that this stone will be found easier to quarry and dress than that of Kiambu for ordinary building purposes.

Continuing towards Fort Hall, the streaky rhyolite is exposed on both flanks of the Thirireka and Duruko (Mshanga) Valleys. Between the Duruko and Kerea it is overlain by another lava, but it lies close to the surface between the Kerea and Chania Rivers. It forms the sill of the Chania Falls, where it rests upon a thick bed of agglomerate. The

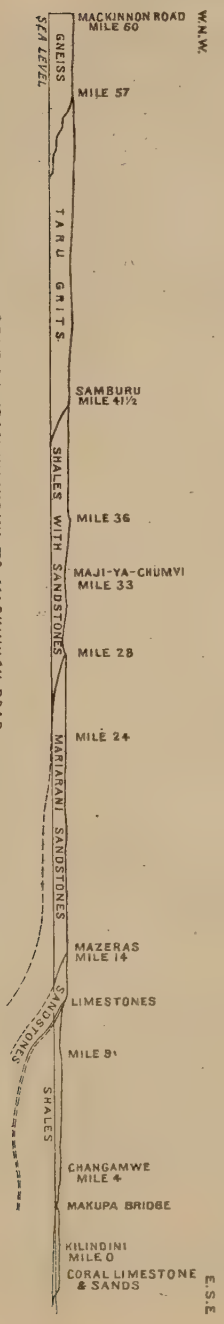

Fig 1. SECTION FROM KILINDINI TO MACKINNON ROAD.

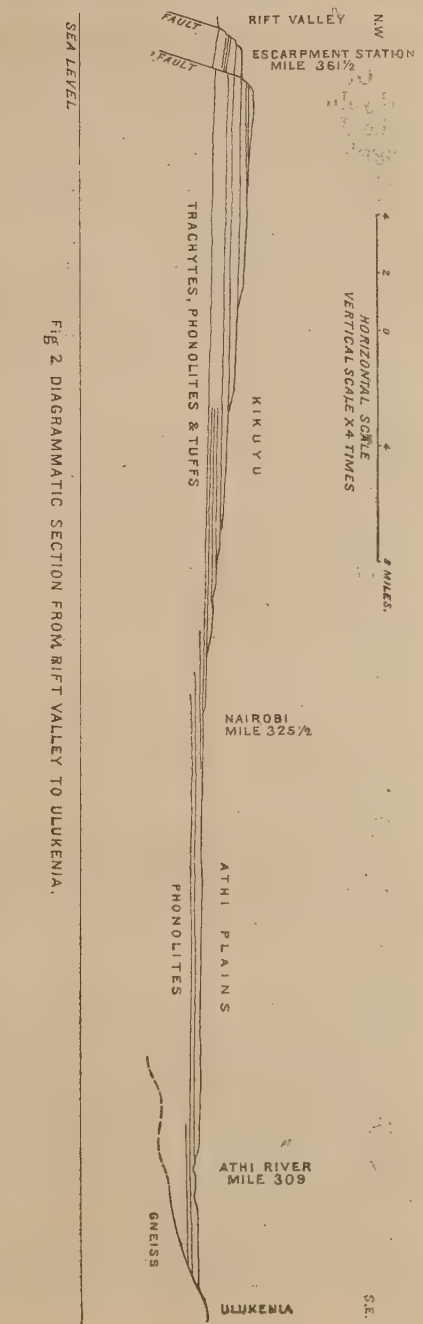

Fig 2. DIAGRAMMATIC SECTION FROM RIFT VALLEY TO ULUKENIA.

latter is more easily eroded than the lava, and to this circumstance the presence of the waterfall is due.

On the north side of the Chania River, the same streaky rhyolite lies close beneath the surface for about two miles. In the Iruru and Kabuka valleys, the road passes over volcanic agglomerate similar to that beneath the Chania Falls. On the south side of the former valley there is a thin bed of clay-stone, similar to that of Nairobi, overlying the agglomerate.

After passing over a short stretch of rolling country, the road crosses successively the three deep valleys occupied respectively by the Mutohu, Ngumbo, and Saba Saba Rivers. On the lower flanks of these valleys a coarse volcanic agglomerate is exposed, whilst on the intervening ridges it is capped by a decomposed basic lava full of zeolites.

The rock exposed in the valleys of the Kamaguta, Itheroe, and Ekundu Rivers is a very fine grained phonolite, having only a few phenocrysts of alkali felspar, nepheline, and augite. It is the most suitable material for metalling this section of the road. In the lower part of the Ekundu valley, at its junction with the Meragua, the Archaean gneiss crops out. It is also exposed in the lower part of the Kathomba valley, and in the Mathioya valley at Fort Hall. Upon the highly uneven surface of the gneiss lies an irregular bed of volcanic agglomerate, upon which in turn rests a streaky rhyolitic lava. The latter is quarried for building purposes by the Public Works Department. It is this bed which forms the strong features in the Mathioya and Meragua valleys.

The track between Fort Hall and Nyeri runs through a country deeply dissected by numerous steep-sided valleys which are separated only by narrow ridges. The streams are large and perennial and take their rise on Nandarua and the eastern slopes of the Aberdare Mountains. The deep red clay of the forest regions lies thick upon the rocks. Nearly the whole tract is covered with the "shambas" of the Wakikuyu, who cultivate even the steepest slopes. There can be no doubt that these natives have comparatively recently deforested the whole district, leaving certain trees only, which have some religious significance, on the hill tops.

Half way up the northern flank of the Mathioya valley the gneiss is overlain by a coarse agglomerate full of boulders of lava and of gneiss. Agglomerate or tuff continues at the surface to the head of the Magona valley, but the gneiss appears from beneath it in three places. Near the bottom of the Ndurumo valley basalt overlies the tuff. Beyond Wambugo's few crops of rock are seen. The sill of the large waterfall on the Kagoma River is an olivine-basalt having a good hexagonal columnar jointing.

At Nyeri the building-stone used in the construction of the station is a dull green tuff containing fragments of pumice, rhyolite, basalt, &c.

Between Nyeri and the river Ngorongobit, the valleys are deep and steep sided, but are separated by plains from two to five miles wide, which slope gently towards the east. Whilst the grassy plains are covered by black cotton soil, on the valley sides, which are usually in forest, the sub-soil is red clay. The volcanic rocks are all olivine-basalts, except that in the bottom of the Amboni valley, a coarse volcanic agglomerate underlies a flow of basalt, and dips eastward at a slightly greater angle than does the valley floor.

North of the river Ngorongobit, the influence of the forest-covered Aberdare Range in precipitating rain and giving rise to perennial streams is lost. The country is drier and at the same time flatter, because the streams are smaller and have not cut such deep valleys. The subsoil is usually a black clay in the hollows and a yellowish clay-loam on the drier ridges. The red clay subsoil is found in the patches of forest, more especially on the higher ground to the west, which overlooks Baringo. *Kunkar* is frequently seen in the black clay, but not in any quantity. The largest deposit noticed was situated half a mile south of Sirima Hill. It is 4 feet thick, but is mixed with a considerable portion of earth. Sirima Hill rises to the east of the track between Nyeri and Rumuruti immediately north of the Equator. The hill is the denuded stump of a small volcano, and consists of agglomerate, and a basic lava.

On the ridge south of the Suguroi River, the lava is an olivine basalt, whilst that at the north end of the Pesi Swamp is a greasy-looking nepheline phonolite with platy jointing.

At Rumuruti about 300 yards north of the station there is a close-grained phonolite, which splits with equal facility in any direction and seems to be the most suitable building-stone close at hand.

Between Rumuruti and the edge of the Laikipia Scarp overlooking Baringo, the country is underlain by lavas (phonolites and basalts) which call for no special notice. The surface is a rolling one, patches of forest with a red laterite sub-soil alternating with meadows having a black clay soil.

(*e.*) *The Eastern Flank of the Rift Valley.*—A very complex series of faults bounds the Rift Valley on its eastern side. The individual faults probably never run for more than 80 or 100 miles. There are, as a rule, two or three main fractures, which bound the principal terraces or steps intervening between the crest of the scarp and the floor of the Rift Valley. The strips of country intervening between the faults are spoken of as fault-blocks. The course of the faults is usually not straight but slightly curved with the concave side of the curve towards the Rift Valley. At the horns of an arc the faults converge, so that the terraces are narrowed, or disappear altogether.

At these points there may be a tract of ground cut up by many faults into small fault-blocks, which may stand above

the general level of the ground, or may be depressed so as to form miniature rift-valleys.

The strata forming the larger fault-blocks usually dip away from the Rift Valley, but this is not always the case. Even where the dip is away from the Rift Valley the actual direction of dip varies from north-east to south-east, so that in the fault-scarps the beds appear to dip very gently to the north or to the south. The apparent dip often changes from south to north on the face of a fault-scarp. This has led to the belief that a number of gentle folds traverse the Rift Valley from east to west. But an examination of the fault-scarps shows that whilst the beds in one scarp may be dipping south, the beds in the scarp immediately behind may be dipping north or even undulating. Such local variations of dip are due rather to unequal subsidence of the different parts of a fault-block than to earth-stresses producing east and west folds. Apart from the theoretical aspect these details of geological structure affect the distribution of underground water.

West of Ngongo Bagas, the scarp descends in a series of terraces into the Rift Valley. To the northward, that is due east of Suswa, a tract of faulted ground projects forward into the Rift Valley. Whilst the faults generally downthrow to the west, a few have a downthrow to the east, and isolate fault-block ridges, which are bounded on their east and west sides by nearly vertical cliffs. Immediately to the north, the wall of the Rift Valley recedes into the great embayment in which the railway decends. Here the main fault runs along the foot of the scarp, whilst another but smaller one throws down the terrace on which Escarpment Railway Station stands. (Fig. 2.)

The rounded outline of Kijabe Hill, which rises on the northern horn of the embayment, contrasts strongly with the terraced scarp behind it. The hill is not formed of a pile of lava-flows, but the whole of its southern and eastern slopes from the summit down to its base, is formed of an olivine-basalt, which contains large tabular crystals of plagioclase, and is easily distinguished from any of the rocks in the neighbouring fault-scarp. The eastern shoulder of the hill consists largely of volcanic tuff. In the railway-cuttings around the base of the hill, the olivine-basalt rests in a very irregular manner on a porphyritic trachyte. Though there is no trace of a crater on its summit, it is probable that Kijabe Hill is an old volcano, which burst out like Longonot and Suswa, after the subsidences of the Rift Valley had taken place.

At Naivasha there are four distinct fault-scarps, which are separated by three terraces from one mile to one and a half miles wide. The lowest and most westerly terrace, on which the civil station is built, rises about 150 feet above the level of the lake, and runs for about three miles before it disappears beneath the superficial deposits.

A section in the scarp below the terrace at mile 387/12 (about 1½ miles south of Naivasha railway station) is as follows:—

	Feet.
Finely crystalline trachyte with platy jointing...	45
Greenish tuff, with top 3 feet reddened	12
Dull greenish black obsidian, only top seen about	20
Trachyte, highly vesicular at top, more than ...	10

The beds have a gentle dip to the northwards, so that the obsidian disappears below the foot of the scarp east of mile 387/9, and by the time the civil station is reached, the top lava has disappeared below the face of the cliff, and an over-lying trachyte forms the whole of the scarp.

The scarp immediately east of Naivasha stretches almost from Kijabe Hill to the Morendat River (about 20 miles), where it appears to merge into the main Kinangop scarp. The beds have a very small dip towards the south, near Naivasha. Proceeding northwards from the gap by which the Fort Hall road passes up the scarp the following beds were found. First, there are three lava-flows belonging to the trachyte group, each between 30 and 40 feet in thickness and possessing a thick slaggy top and vesicular base. The lowest of the three lavas reaches the top of the scarp, where the footpath to Nyeri ascends it. This lava rests on a bed of partly consolidated sand made up of volcanic materials. Its thickness varies from 6 to 12 feet, and the sand rests in turn on a decomposed tuff 20 to 25 feet thick. Beneath the tuff is an trachytic lava, which rises to the top of the scarp on the north side of the gorge, which trenches the scarp north of the track to Nyeri. Here another trachyte forms the lower part of the scarp and rises in turn to the top of it by the time the Public Works Department's quarry is reached. In the latter a green streaky rhyolite, which underlies the trachyte flows, is quarried for building purposes. Beyond the quarry the beds flatten, so that the rhyolite remains at the foot of the scarp until the prominence north of the quarry is passed. The dip then increases again and brings the rhyolite up into the middle of the bluff, where its thickness was estimated to be 50 feet. Beneath the green streaky rhyolite is a thin flow of red porphyritic lava, which forms a distinct feature rising to the north. The rock underneath the lava appears to be a tuff, but it is not well exposed.

The above details are given to show the character of the beds in the fault-scarps. Similar successions differing in details were found in all the scarps examined. It should be noted that the gentle inclination of the beds towards north or south on the face of the fault-scarps is not the true dip, which is directed towards some point varying between north-east and south-east.

The third scarp is a well-marked feature between Kijabe Hill and Naivasha, but after passing north of the latitude of Naivasha, it gradually sinks down and disappears.

The fourth scarp is the main Kinangop scarp and is continuous in the south with that behind Kijabe Hill. In a northerly direction, it joins the second scarp near the Morendat River and continues thus to the neighbourhood of Gilgil. The height of the scarp where the Naivasha-Nyeri road ascends it is about 550 feet (by aneroid). It is here built up of coarse and fine beds of tuff, some of which have decomposed to a pale yellow clay. The tuffs rest on a dark porphyritic lava, and a thin flow of glassy lava occurs on the crest of the scarp.

The plains of Kinangop are covered with a black clay soil, in which small quantities of nodular limestone (kunkar) are found chiefly on the flanks of the stream courses. The underlying rock is seen only in the stream-beds and is a volcanic tuff or agglomerate, usually much decomposed.

About 8 miles from the edge of the scarp, the Naivasha-Nyeri track crosses a deep hollow, which shows a porphyritic trachyte overlying the tuff. About three miles from this point the track ascends the western flank of the Aberdare Range. The lower flanks of the hills are covered with forest, which also projects in tongues on to the plains. As soon as the forest is entered the black cotton soil gives place to red clay (laterite). In the bamboo forest which succeeds the lower forest at an altitude of about 9,500 feet, the sub-soil is also a red clay. The bamboo forest ceases on the watershed and gives place to an open heath with clumps of moss-covered stunted trees. The red clay sub-soil ceases at the edge of the bamboo zone, and is replaced by a thin brown or yellowish clay-loam which evidently contains much humus in its upper part. A vegetable accumulation like peat occurs in some of the hollows. The belt of open heath is five to six miles wide, and when the bamboo forest on the eastern slopes are reached, the red clay sub-soil returns. Throughout the whole traverse the rocks were found to be lavas (basalts and phonolites) with some beds of tuff.

At Gilgil the trend of the eastern wall of the Rift Valley changes from N.N.W. to N.W. The latter direction is maintained until Lake Elmenteita is reached, when the trend again becomes north-north-westerly. The former change of direction is not brought about by the curving of the faults, but by the Naivasha faults dying out, and a new set of scarps arising to the west. Of the latter, the chief one runs along the east side of Lake Elmenteita and dies out in a southerly direction near mile 409 on the railway. Another fracture forms the scarp, which rises immediately north-east of Gilgil railway station and is continuous with the higher scarp of Subugo Rongai and Subugo Loldian. The dwindling of the Naivasha scarps is accompanied by the branching of the faults, which split up the fault-blocks into narrow belts. Some of these faults downthrow to the east, and thus with the opposing westerly throwing faults produce fault-block ridges and trough-fault valleys.

Two or three of the latter are well seen in the country a few hours march north-east of Gilgil railway station. Their structure is revealed by the presence of a peculiar streaky rhyolite, which stands out in prominent features on the faces of the scarps and can be identified again in the floor of the trough. In each trough-valley there are two stream courses, one running at the foot of each scarp. The floor of the trough rises to the north, and as the scarps become smaller and smaller, the general level of the surface is brought up to that of the plains of Kinangop.

A traverse of the plains from Gilgil to near Lake Olbolosat showed that they were underlain by volcanic tuff and agglomerate, in which occurred thin beds of lava and some partly consolidated beds of sand, made up of fragments of felspar, augite, lava, pumice, &c. The dip of these beds is about 4° to S. 25° E. The plains are bounded on the east by a precipitous fault scarp known as the Laikipia or Satima scarp. It is first recognisable north of Kibibieri, and trends in a direction north by west until it is lost to view in the forest north of Lake Olbolosat. The northern portion of the Aberdare Range rises immediately east of the fault-scarp and adds its height to that of the fault-scarp, but the cliff due to the fault is distinguishable even at a distance. North of Satima, the northern shoulder of the Aberdare Range, the fault scarp gradually diminishes in height and the beds of which it is formed have a gentle dip in the same direction. It is uncertain whether this scarp is continuous with the big scarp, which rises up to the east of Baringo hill "boma" and is known also as the Laikipia scarp.

The natural drainage of the plains is at first towards the south into the Morendat and Gilgil Rivers which discharge into Lake Naivasha, but north of the latitude of Satima the streams run in a north-north-easterly or north-easterly direction, down the eastern slope of Subugo Loldian into Olbolosat, a lake which lies in a very shallow depression at the foot of the Laikipia Scarp. The overflow of the lake drains out through a sharp gap cut through the Laikipia Scarp and joins the river-system of the Guaso Narok, which flows in a north-easterly direction across the Laikipia Plateau. If the floor of the gap were raised but a comparatively few feet, the overflow of Lake Olbolosat would be turned into the basin of the Morendat River. That it does not actually take the latter direction, but prefers a gap through the fault-scarp is very instructive. Before the subsidence along the Laikipia fault took place the streams running off Subugo Loldian must have flowed eastward across the Laikipia Plateau. When the subsidence on the west side of the fault began, the streams were obstructed by the rising of the scarp, and formed a shallow lake or swamp. The overflow of the lake instead of being diverted from its eastward course was able to cut down its

channel as the scarp rose. There is here, then, direct evidence that the subsidence took place with extreme slowness.

In a traverse across the eastern flank of the Rift Valley a few miles to the north of Lake Solai, two high scarps are crossed. They are the northward prolongations of the scarps which take their rise near Gilgil. The more westerly scarp, which rises immediately east of Lake Solai, disappears about four miles north of that lake in the same manner as the Kinangop scarp breaks up near Gilgil. The Solai scarp is replaced by another scarp which appears on the west and increasing in height in a northerly direction forms the huge cliff on the east side of Lake Hannington.

As the Solai scarp disappears, the more easterly scarp, which forms the higher feature of Subugo Loldian, bends round to the north-west until it meets a line prolonged northward from the Solai scarp, when it turns again towards the north and forms the scarp immediately to the east of Lake Baringo.

The plateau above the eastern scarp is covered by forest, in which there are large grass clearings. It is watered by several streams flowing towards the north-east or to the north in V-shaped valleys, which they have eroded. The "solid" rocks are chiefly phonolites, and include both porphyritic and non-porphyritic varieties.

The Sondai River flows at the base of the scarp in the large embayment mentioned above, and a small freshwater lake, called Sagowet by the local Masai, lies in a basin in the foothills. Further west, towards the edge of the Hannington scarp, the country is poorly watered. Though there are some stream-cut gorges notching the crest of the scarp, the principal features on the terrace are due to minor faults producing trough-valleys separated by flat-topped ridges with straight, precipitous sides. These ridges are formed of lavas (chiefly phonolites) and agglomerates, and are usually covered with a thin coating of rock-rubble. On the flat floors of the valleys there is an accumulation of red clay (laterite) which supports low scrub and grass. The laterite is evidently wasting away, and the aspect of the country leads one to suspect that the country has been deforested, but in what manner it is impossible to say.

In the Hannington Scarp the beds are inclined eastward at comparatively high angles. A dip of 17° was measured in a thick series of green and white shales, which are inter-bedded with agglomerate, phonolite, and basalt, on the crest of the scarp, about one-third of the length of the lake from its southern end. Towards the north end of the lake the basalts become more frequent, and a black sand occasionally seen in the nullahs, is formed of magnetite, which occurs in some abundance in the basalts. The Hannington Scarp slowly decreases in height beyond the north end of the lake, and finally sinks beneath the sandy loam of the Baringo plain.

East of Lake Baringo the Rift Valley is bounded by two steep and lofty scarps, separated by a broad terrace, on which the old Baringo Hill station and the new Mugatan station are situated. The lower scarp is, as Walker reported, formed chiefly of amygdaloidal basalts, which contain large black crystals of augite. The upper or Laikipia scarp on the track from Mugatan to Rumuruti is built up of flows of phonolite, at least six in number, with one flow of basalt near the base.

The surface features of the terrace are more diversified than those of the terraces already described. The outer edge of the terrace, formed of lavas having an eastward dip, is higher than the interior, except where streams have broken through it. The terrace is traversed by ridges of rock, which generally trend in a north and south direction. Whilst the ridges are often nearly bare rock, there is a red clay soil in the hollows. The streams descending from the Laikipia scarp have spread out great fans of detritus, consisting of boulder-gravel near the hills, and coarse gravel further out, which becomes finer and finer away from the hills. The gravel being very porous, the soil is extremely dry. During the rains numerous springs of large volume issue at the edges of the fans of detritus, but they are said to dry up in the dry season. Shallow wells sunk in these deposits would in many places reach water.

(*f.*) *The Western Flank of the Rift Valley.*—The railway, in ascending the western flank of the Rift Valley between Nakuro (mile 446½) and Mau Summit (mile 489) passes for a great part of the way through the Mau Forest. The uniform covering of thick red clay is broken only here and there on the flanks of the numerous streams where the "solid" rocks protrude or in the natural meadows where the subsoil is the usual black clay. Pisolitic limonite (muram) from a few inches to three or four feet in depth is usually found beneath the sub-soil near the edges of the meadows.

Numerous railway cuttings prove that the red clay is often 30 feet in thickness without its base being reached. Not only does the vegetation obscure the geological structure, but the numerous streams have eroded the country into a complicated system of valleys and ridges, amongst which it is impossible in a rapid traverse to pick out features due to earth movement. Three fault-scarps are, however, distinguishable at the foot of the Mau Scarp below the level of the forest. The lowest of these forms the western shore of Lake Nakuro, but disappears northwards beneath loess-like loam of the Rift Valley before the railway is reached. The second scarp borders the terrace on which Njoro Station stands. Unconsolidated ashes, probably blown from Menegai volcano, are banked against its face. The terrace from the edge of the scarp to Njoro Station is formed of a sanidine bearing lava which is a good deal decomposed. Beyond Njoro the lava is overlain by a volcanic tuff. The railway then ascends a third scarp the crest of which

is reached at the edge of the forest about mile 462/14, fine volcanic tuff being exposed on the ascent. Near Molo Station a massive flow of streaky rhyolite exposed to a depth of 40 feet at mile 480, contains so many fragments, that it resembles an agglomerate. It would quarry and dress easily and be the most satisfactory building stone for local use.

On the road from Londiani to Eldoma Ravine tuff and agglomerate, usually much weathered, are exposed in all the stream beds up to a point about 4 miles from the latter station. Here the road passes on to a rather pale greyish lava. This rock continues at the surface up to the civil station, where it is underlain by a fissile trachyte seen in a quarry near the "boma."

Although some of the stream-beds crossing the road south of Eldoma Ravine hold a little sand consisting of quartz and felspar with patches of black magnetite sand, and some fragments of gneiss were found in a tuff, no outcrop of the gneiss was seen.

The trachyte mentioned above continues for about three miles down the track to Baringo. Below the trachyte there appears a streaky rhyolite, which rests in turn on tuff. In the valley of the Tigrish River, the beds which underlie the above mentioned rocks are exposed. They are chiefly tuffs and agglomerates with two hard ribs of comendite, which form distinct features on the valley side.

On the track which leads over to the Ndo Valley, the rocks all belong to the volcanic series. Tuffs are very abundant, and with them occur beds of ashy clays and loams which contain occasional blocks of lava.

The western wall of the Rift Valley in the latitude of Baringo is formed by two immense fault-scarps separated by the Ndo Valley, which drains to the north. The eastern and lower scarp (Kamasia) seems to consist entirely of volcanic rocks, which in the districts of Satcho and Kipkibut dip to the westward at an angle of nearly 10°. The western slope of Kamasia is, as Walker reported, a dip slope, dissected by the streams flowing from the Kamasia Scarp into Ndo Valley. The rocks seen were chiefly trachytes with some basalts and occasional beds of tuff.

The western and higher scarp (Elgeyo) bounds the Ndo Valley on the west and is about 3,000 feet high. It consists of gneiss at the base overlain by volcanic rocks. Along a fault running at the foot of this scarp, the Kamasia country on the east has evidently been thrown down, whilst the floor of the Rift Valley has subsided along a fault which runs at the foot of the Kamasia Scarp.

At the head of the Ndo Valley a line of high ground trending in an east and west direction connects the Kamasia and Elgeyo Scarps. It is formed largely, in its eastern portion at least, of

tuffs and agglomerates which dip at relatively high angles in various directions. Interbedded with the tuffs are lava-flows of trachyte, comendite, and obsidian, and a few dykes were also noted. This traverse range is deeply dissected by a most complicated system of ravines with precipitous sides. That it was formed by one or more volcanoes built up on the plateau-lavas and now considerably denuded, is the most satisfactory explanation of its origin that can be offered. Whilst on Kamasia and Elgeyo there is an abundant rainfall, which feeds the numerous streams, the Ndo Valley is distinctly drier and the vegetation is in places of the semi-arid thorn-scrub type. At the foot of the Elgeyo Scarp, the large streams have spread out cones of gravel, between which is a red sandy sub-soil similar to that of the Voi District. It is often over twenty feet deep, and would undoubtedly be fertile under irrigation. Between the Ndo River and the high ground of Kamasia there is a strip of low-lying country, where the volcanic rocks lie close to the surface, but patches of red clay like that of Kikuyu and Mau remain in the hollows. It is for the most part deforested and is being rapidly washed away.

(*g.*) *The Nandi Slope.*—On the descent from Mau Summit to Port Florence the railway follows the course of the Nyando Valley and passes over a series of volcanic rocks between Mau Summit (mile 489) and mile 541 (between Fort Ternan and Muhoroni Stations). This volcanic series differs from the rocks already traversed in containing a greater proportion of tuffs and agglomerates, and the lavas themselves in the neighbourhood of Lumbwa and Fort Ternan are nephelinites and melilite-basalts varieties not met with in the eastern districts.

The geological structure is simple in outline. The beds have a very gentle dip towards the west, which is less than the mean slope of the surface, so that as we descend older and older beds are encountered until at mile 541/14 the lowest bed of tuff rests on the Archaean gneiss. As a result of this structure each bed outcrops over long distances along the railway track, *e.g.*, a bed of agglomerate is exposed in successive cuttings for four miles between miles 533 and 537.

The first cutting west of Mau Summit shows a decomposed tuff beneath red clay with "muram." In the large rock cuttings between miles 491 and 492 the rock is a basic variety of phonolite. For the next few miles the railway passes through forest covered ground having a thick sub-soil of red clay. Several cuttings near mile 496 are in a porphyritic trachyte, having quartz in the groundmass. It is similar to the lavas, which are so common in the district between Escarpment and Kikuyu.

Beyond Londiani Station at mile 500 the railway passes on to a soft green tuff containing fragments of lava and pumice and weathering to a pale yellow colour. This rock is exposed in all the cuttings on the big elbow bend below Londiani and

continues as far as mile 508/6. At mile 507/10 an irregular mass of trachyte is intruded into the tuff, which is indurated at the contact. Between mile 508/6 and 508/9 a phonolite which is amygdaloidal and decomposed above, but hard and compact below, is exposed at the surface. A similar rock crops out at mile 509/3, beyond which tuff crops out again.

Just before reaching the viaduct at mile 510 there is a deep cutting in green trachytic lava resting on a decomposing tuff. The latter rock continues at the surface to mile 511, where a decomposed lava, apparently a nephelinite, crops out from beneath the tuff. At mile 512 the railway cuts through a small hillock of heavy black rock jointed into six-sided columns. It is a typical limburgite, consisting of small crystals of olivine scattered through a dark brown glass, which is crowded with minute crystals of augite.

Between miles 512/14 and 513/11 are several cuttings in a dark greenish nephelinite, consisting of crystals of nepheline and augite in a base of microscopic crystals of nepheline, augite, perofskite, magnetite, and apatite. The next outcrop at mile 514/4 is a tuff, which is followed between 514/6 and 514/14 by a coarse volcanic agglomerate.

On both sides of Lumbwa Station (mile 515½) a decomposed lava, apparently nephelinite, is overlain by a coarse river-gravel composed of volcanic rocks. The gravel is sometimes 8 feet thick, and it situated at a height of 40 feet above the river. The case is mentioned because river-terraces are very uncommon in East Africa.

At mile 516 agglomerate again appears at the surface. In the cutting at mile 516/10 it is overlain by a greenish nephelinite, which weathers to a pinkish colour. The same lava is seen again at mile 517/10, where it overlies and is overlain by agglomerate. The latter rock contains blocks of several varieties of lava, and of all sizes up to 20 feet in length in a greenish-grey, ashy matrix. The agglomerate is found in all sections beside the railway from the above-mentioned point to mile 523/10, except that at mile 519 a decomposed nephelinite overlies it for a short distance.

A bed of dull greenish-grey tuff with a few bands of agglomerate underlies the agglomerate, and is exposed along the railway from mile 523/11 round the big curve below the tunnel to mile 528. Just beyond the tunnel a mass of dark blue phonolite occurs in the tuff. Its junction with the tuff is very irregular, and it causes slight induration at the contact, so that it may be intrusive into the tuff.

A flow of compact nearly black phonolite, which has been largely used for ballasting the line occurs beneath the tuff, and in turn overlies another bed of tuff. The lava is cut through in several cuttings between miles 528/12 and 529/13, and an outlying mass occurs at mile 530/13. It exhibits a

hexagonal jointing into columns in the centre, but is brecciated and vesicular towards the base and causes great disturbance into the underlying tuff, which extends in tongues 2 feet long up into the lava. Beneath the tuff there is a coarse agglomerate similar to that already traversed. This is succeeded by more tuff, and at mile 532/15, close to Fort Ternan Railway Station, a dull greenish nephelinite containing melilite, appears in the cuttings and is seen to overlie tuff.

In the cutting immediately beyond Fort Ternan Station the agglomerate contains pieces of mineralised fossil wood. The lava on which the agglomerate rests is a nephelinite, which contains a few crystals of olivine, and it should perhaps be called a nepheline-basalt.

Agglomerate is again exposed between mile 534/8 and mile 537/4. It is overlain by nephelinites, which form the hills on the north side of the line. In the cuttings at mile 537, the agglomerate is pierced by four vertical dykes, the width of which vary from one foot to 12½ feet. They trend in a direction N.N.E.-S.S.W., and are similar in mineral composition and texture to the nephelinites. They contain small blocks of biotite-gneiss.

Banded tuffs dipping at an angle of 12° to N. 13° E. crop out from beneath the agglomerate at mile 537/10; and overlie in turn a nephelinite at mile 537/13. The lava overlies tuff and agglomerate, which is pierced by a narrow dyke, which trends W.N.W. and E.S.E. Between mile 538 and 538/13 the railway crosses another lava, which is interbedded with agglomerate and tuff, the base of which rests on the gneiss at mile 541/14.

It is probable that a great part of the black cotton soil of the plains between Kibigori and Kibos overlies volcanic rocks, but the latter were not actually seen until mile 580/5 is reached, close to Port Florence. Here the lava is a compact, nearly black phonolite.

Rusinga (or Lusinga) Island, which lies at the mouth of the Kavirondo Gulf appears to consist entirely of volcanic rocks, chiefly a greenish-grey tuff, which is often stratified. It contains pieces of fossil wood preserved in natrolite. On the south-eastern flank of the central hill a thin lenticular band of white limestone interbedded with tuff and agglomerate was worked for lime. It is probably a chemical precipitate like the "kunkar." As the beds dip into the hill on a steep slope, it soon became too costly to remove the overlying beds, whilst the limestone appears to die out when traced along the crop. The thinness and poor quality of the rock at the outcrop is probably due to solution, but the steepness of the surface is not favourable to exploration along the crop. Another deposit of limestone known to the natives occurs rather over a

mile to the east. It is a harder and more compact stone, of which there are fully 2,000 tons in sight.

(4) *The Superficial Deposits on the Volcanic Rocks.*

In the vast region underlain by the volcanic rocks there are several kinds of surface-deposits, three of which have a wide distribution in the area under description. Since the latter are an essential cause of the characteristics of the several types of land and have an important bearing on its agricultural development, they may be described in some detail. The three chief types of sub-soil are:—

(*a.*) The red clay, an accumulation in many respects like the "laterite" of the Deccan, India, and found only in forest-covered areas, such as Kikuyu and Mau.

(*b.*) The black cotton soil, which covers open rolling grass-plains such as the Athi and Kapiti Plains, and is similar to the black cotton soil, or *regur*, of India.

(*c.*) The yellow or yellowish-grey loam which is found in East Africa in the Rift Valley, particularly in the neighbourhood of Naivasha. It resembles closely the "loess" of China, and the "adobe" of the semi-arid Western States of America.

As roughly outlined above, each of these deposits occupies large and distinct areas. The black cotton soil and the red clay are essentially residual accumulations, whilst the yellow loam of the Rift Valley has undergone a certain amount of transportation, and thus does not overlie directly the rocks from which it was derived. All these deposits, however, have been derived from the volcanic rocks by decomposition or disintegration, but the variations in the characters of these surface deposits is independent of changes in the underlying volcanic rocks. The red clay is not confined to any particular kind or kinds of volcanic rocks, but it covers trachytes, phonolites, basalts, and tuffs alike, and the same applies to the black cotton soil. The latter, indeed, as already remarked, is also found in certain areas where the underlying rock is gneiss. An explanation of the reason why the lavas and tuffs should give rise to such different products in different districts must be sought for in variations of climate and surface configuration, whereby the mode of weathering of the volcanic rocks is made to vary.

(*a.*) The red clay is a ferruginous, homogeneous lithomarge of an Indian red colour, and is confined to areas which are now, or have been within a comparatively few years, covered by forest. In the Kikuyu district, which stretches from Nairobi and Limuru to Nyeri, and again in the Mau Forest on the western side of the Rift Valley, it forms a continuous surface covering, broken only by the larger rivers and occasional

grass glades, where the soil is a black clay, similar to the black cotton soils. It varies from 2 feet in thickness to over 30 feet in many railway cuttings, and in some valleys between Fort Hall and Nyeri appears even thicker. It is hard when dry, but so plastic when wet that the native tracks become almost impassable. It is sometimes banded horizontally or by lines which run parallel with the surface, but the bands do not seem to vary in composition.

Its junction with the underlying rock is sharp, but irregular, and sometimes follows a very sinuous line, which forms pipes and pinnacles, whilst blocks of decomposed lava or tuff may be isolated in the clay above the pinnacles. Such sections (*e.g.*, mile 348) leave no doubt that the clay is a residual deposit derived from the decomposition of the underlying rock, though the process of its formation, which leaves the iron oxides in a dehydrated condition, is very obscure. There is sometimes a sharp change from the red clay to the fresh rock below, but more frequently a decay has set in, by which the volcanic rock is altered to a yellowish clay, such as might result from the atmospheric weathering in a temperate humid climate. In some cases the decay has caused little change in the rock except a loss of toughness. This is particularly noticeable in the trachytes which occur between Nairobi and Escarpment, where they have often become "soft" to a depth of 20 feet beneath the red clay.

The composition of a sample of red clay taken from a depth of 4 feet in the summit cutting of the Escarpment at mile 357/10 is given in the following analysis (W. C. Hancock). It may be taken as a fair example of the sub-soil of the Kikuyu district. The clay at this point overlies a trachytic lava.

	Per cent.
Silica (SiO_2)	34·16
Titanium dioxide (TiO_2)	3·12
Ferrous oxide (FeO)	·90
Ferric oxide (Fe_2O_3)	14·15
Alumina (Al_2O_3)	25·55
Manganese oxide (MnO)	·38
Calcium oxide (CaO)	1·09
Magnesium oxide (MgO)	·37
Sodium oxide (Na_2O)	·09
Potassium oxide (K_2O)	·34
Water (combined)	9·24
Water (hygroscopic)	11·10
	100·49

It will be noticed that silica, alumina, ferric oxide, and water together make up over 90 per cent. of the clay, a feature which is characteristic of residual clays from many

parts of the world (*e.g.*, the "laterite" of India and the red clays of Alabama and Virginia). The titanium dioxide is also concentrated in the clay. None of the East African volcanic rocks which have been analysed contain more than ·78 per cent. of TiO_2, whilst the above analysis shows 3·12 per cent.

On boiling with hydrochloric acid to remove the iron oxide, a pale coloured granular clay is left, which contains no quartz. The red clay is therefore to be regarded as a mixture of a clay allied to kaolin with ferric oxide (or possibly turgite ($2Fe_2O_3$, H_2O). In the absence of quartz, the low percentage of alumina shows that it is not bauxite, but a laterite. Some purple and buff clays lying upon the red clay in a hollow are exposed in the cutting at mile 352/12. An analysis of the buff clay showed that there was less ferric oxide, but the percentage of alumina was not appreciably increased. These clays were probably formed by the red clay being washed down into the hollow, the iron oxide being partly dissolved by the humus acids in the surface water.

The Kikuyu forest is bounded on the west by the grassy plains of Kinangop, on which there is a black cotton soil, and by the Kedong Valley, where the soil is a loess-like loam. In either case the red clay ends where the forest ends. On the eastern side of the forest there is a well-watered strip of upland country of variable width before reaching the Athi Plains, which are characteristically treeless and covered by black cotton soil. In this intervening strip of country, the red clay occurs in patches, and is often very thin. Where it is absent, the volcanic rocks come close to the surface, but are nearly always covered by a layer of pisolitic iron-ore, a hard, mottled, yellowish-brown and black deposit known by its Indian name *muram*. It is generally from a few inches to two feet, but may be as much as five feet in thickness. Unlike the ferruginous, cavernous deposit found with the Indian laterite, it never forms on exposed surfaces of the red clay, or even overlies it, but it is almost invariably found beneath the red clay, where it thins away outside the forest-covered areas.

The natives smelt the *muram* with the aid of a primitive bellows, and from the iron thus obtained manufacture their spears and knives.

For footpaths and roads on which the vehicular traffic is light, the *muram* is an excellent metalling, which breaks up readily and binds to form a hard, smooth surface.

On Nairobi Hill it is the chief superficial deposit. In the lower parts of Nairobi it is usually found beneath a thin covering of red clay between Government Square and Ainsworth's Bridge, and again beyond the river in the district south-east of Parklands.

It requires but little examination to see that the strip of country, where the red clay is thin and is associated with *muram*, has been deforested. The protection which forests afford to the soil is well known. As soon as an area is stripped of its forest the rains commence to denude the soil, the turbidity of the streams when swollen by the rains bearing eloquent testimony to the amount of soil carried away. The red clay is thus denuded, and at the same time exposed to an intense solar evaporation. The latter process is probably an important factor in the formation of the *muram*. The red clay, stripped of its forest covering, is baked and cracked in the dry season. The following rains penetrate readily, and carry down iron-oxide in solution, which is re-deposited in a hydrated form on evaporation of the water and finally becomes cemented into a hard bed like an "iron-pan."

The loss of the forest may be attributed partly to the effects of the grass fires, which sweep the plains twice a year at the end of the dry seasons, to a small extent perhaps to destruction by the Masai, but by far the greater part is almost certainly due to the Wakikuyu. These natives plant their "shambas" on ground which they have cleared of forest. The cultivated soil is slowly washed away by the rains, and the "pan" of *muram* formed. The ground is then deserted, and a new clearing made in the forest. The native population is thus encroaching on the forests, which are being slowly destroyed. Over the deserted ground the grass returns and a few small trees spring up here and there, forming an easily-recognised "park-like" type of scenery. A good example of this kind of country is traversed by the Fort Hall road between the Ruiru and Thika Rivers. Where the alluvial land beside the rivers can be cultivated a few families of natives may remain, but the higher ground between the rivers is deserted. Owing to the complete change in the character of the soil, the forest cannot spread again over the deserted land either naturally or by the aid of man. If the red clay has been completely removed the land is useless for cultivation, and as pasture it must be easily affected by drought on account of the thin unretentive nature of the subsoil.

In view of the white settlement of the country, much of this fertile red clay soil is sure to be brought under cultivation. It may be as well, therefore, to insist on the destructive erosion of the soil of deforested tracts by the rain, all the more so because its ravages pass unnoticed until the damage is done and beyond repair. Amongst the hill farms of the south-eastern States of America, the deforested land which is being destroyed by erosion of the soil is said to amount to hundreds of square miles. Since much of the land in Kikuyu is hilly, the soil is certain to wash, if cleared, on account of the steep slopes and the inabsorbent nature of the sub-soil,

The likelihood of erosion should be kept in mind from the first, because one of the best methods of preventing it is the retention of the hill-tops in forest, and the alternation of strips of forest with tilled land on a long slope. The common methods for checking erosion are well known amongst agriculturists, and need not be repeated here.

A tract of red clay stripped of its forest, if not kept in cultivation, is at once covered by a thick scrub growing to a height of 5 or 6 feet. This cover of vegetation is exceedingly useful in retarding erosion of the soil and preventing the formation of gullies, which are most destructive to the land. Nevertheless, gullies occasionally do form, and when once begun they grow rapidly in size. On the track between Fort Hall and Nyeri small gutters cut beside the track to drain it have grown into gullies 5 or 6 feet deep in the course of a few wet seasons.

The concretionary deposits of lime carbonate (kunkar) are never found in the red clay of the forest districts. Here lime may be looked for in the alluvium of the streams, more especially in the alluvium of the swampy reaches of the river and the salt-pans, where considerable evaporation of the water takes place in the dry seasons. In such localities "kunkar" may form in much the same manner as it forms in the black cotton soil.

(*b.*) The black cotton soil is a fine, black argillaceous clay, like the "regur" of Peninsular India, sticky and plastic when wet, and retentive of moisture. During the dry seasons it becomes somewhat friable and shrinks considerably, so that its surface is seamed with cracks. It is commonly from 2 to 5 feet deep, but in some places (*e.g.*, near Kibigori) it may reach a thickness of 20 feet or more.

At its base there is often formed a deposit of white lime carbonate (kunkar) from a few inches to two feet thick, and small nodules of the same substance are frequently scattered through the lower parts of the sub-soil. In some of the deeper sections the clay becomes dark brown towards its base. The "kunkar" is then usually found at the limit of the brown and black parts. In a few places near the margin of the black cotton soil, an iron-pan (muram) is found beneath it in place of the "kunkar."

Much the greater part of the black cotton soil overlies the volcanic rocks, and the smaller portion, which overlies the gneiss seems to differ from the rest only in containing small angular bits of quartz and occasionally fragments of decomposed felspar. The tuffs beneath the black cotton soil are much decomposed, the lavas but slightly so, whilst the cotton soil itself sometimes contains a few fragments of decomposed lava at its base. It is, however, free from stones throughout its mass, with the exception of bits of chalcedony from the amygdales of the lavas.

The black cotton soil is the dominant surface-deposit on the Kapiti and Athi Plains, where it covers probably 800 square miles, but it is also said to extend northwards over the plains between the Tana River and Mount Kenya, which are practically a continuation of the Athi Plains. On the plains of Kinangop and their northward continuation to Lake Olbolosat the black cotton soil covers a large area, but it is often quite thin. It also covers the low ground around Muhuroni, Kibigori, and Kibos.

The black cotton soil is like the red clay of the forests in that it is due to the decomposition of the underlying rocks, and it differs from the red sandy soil of the gneissic region and from the loess of the Rift Valley, in the formation of which disintegration of the "solid" rocks is an important process.

It differs from the red clay of the forests in being characteristically treeless, so that its soil-water is subjected to far greater evaporation. Further, in all its occurrences it lies on level or gently rolling ground where the rocky substratum is impervious and the under-drainage consequently bad. From the red clay the soil-water slowly drains away and carries with it the most soluble constituents produced from the decomposition of the solid rocks. On the other hand, the black cotton soil is water-logged at the end of the rainy seasons. Though some of the water seeps out into the natural drainage channels, a considerable portion is evaporated from the surface. Capillarity draws up more water from below, and this in turn is evaporated. In this way the little soluble calcium carbonate is first deposited as "kunkar" in the lower parts of the clay, whilst the more soluble alkaline salts accumulate in the higher parts of the soil on the final evaporation of the water. The black-cotton soil is thus a slightly alkaline soil ("sour veldt"), but the rainfall, which tends to carry the salts downwards, is sufficient to prevent an undue accumulation of "alkali." The rainfall at Nairobi, on the western edge of the Athi Plains, averages 40·17 inches for a five-year period.

The relation between the black cotton soil and the red clay is strikingly illustrated in the country immediately north of Nyeri. Here a plateau of volcanic rocks, which has a gentle eastward slope, is dissected by a number of steep-sided valleys from 100 to 200 feet in depth. The valley sides are (or were until recently) in forest and are coated with red clay. The plateau, on the other hand, is covered with grass growing on black cotton soil. The change from one sub-soil to the other is sharply marked along the edge of forest growth, and occurs where a good natural drainage gives place to a poor one.

Both the "kunkar" and the alkaline salts in the soil must be derived from the "solid" rocks. The volcanic rocks of East Africa are particularly rich in alkalies, analyses, which have been made by Dr. Prior, showing from 11 to 14 per cent

as the total soda (Na_2O) and potash (K_2O). The percentage of lime, on the other hand, is small, and ranges between 0·6 and 2·04 per cent. The formation of a bed of "kunkar" only 3 or 4 inches thick must require a long interval of time, whilst the greater part of the alkali salts produced at the same time must be carried off in the natural drainage waters.

The black colour of the soil has been attributed sometimes to its high content of humus, sometimes to organic salts of iron, but, however that may be, the movement of alkaline waters through the soil is probably the cause of the distribution of humus through it, for the action of alkaline waters in dissolving vegetable tissue is well known. Further, a clay in the flocculent condition, which is produced by the action of alkaline solutions imitates some of the peculiar characters of the black cotton soil.

(*c.*) The yellow loam of the Rift Valley. On the floor of the Rift Valley around Lake Naivasha, the superficial deposit is a fine gritty loam of a pale yellowish colour. It was traced northwards as far as Baringo, and southwards into the Kedong Valley. East and west it is limited by the scarps, which bound the Rift Valley.

Its nature is best seen in the cañon-like gorge of the Morendat River and in some nullahs of smaller size near Naivasha. It forms vertical cliffs which reach a height of 100 feet, and yet is so soft as to crumble easily between the fingers.

The finest parts are an almost impalpable powder of yellow or yellowish-grey clayey particles. Through it are distributed angular grains of the minerals, which are contained in the lavas, and small fragments of the lavas themselves, which may be slightly rounded. The chief constituent is cleavage-flakes of felspar, which sparkle in the sun on the rain-washed surface of the earth. Fragments of augite and other ferro-magnesian minerals, occasional bipyramidal crystals of quartz and chips of chalcedony are also found.

The loam is not quite uniform in character, but is marked by bands of finer or coarser grain, with occasional lines of small pebbles. The latter are more abundant near the fault-scarps. There are also beds of pure white clay, which are usually found on the low ground away from the hills. White clays, like those found at the south end of Lake Naivasha, and near the River Keriandus (Elmenteita Lake), are used in the manufacture of paper, to some extent in the manufacture of a light-coloured brick or of chinaware, and as an adulterant for paint.

Concretionary nodules of lime (kunkar) or even thin beds of white limestone are often found at a depth of a few feet in the loam, but not in sufficient quantity to be worked for building lime. Locally the yellow loam is mixed with greenish volcanic

dust or with pumiceous lapilli from the volcanoes Longonot, Eburu, and Menengai. This is especially the case at Nakuro and on the Longonot saddle (mile 378).

The loam, although derived from the same kind of volcanic rocks as the black cotton soil and the red clay of the forest areas, differs from them in being derived chiefly by disintegration, whilst decomposition is of lesser importance. A deposit intermediate in character between the red clay and the yellow loam is found at Kijabe at the edge of the Kikuyu forest. Here the trachytic lavas have decomposed to a brownish clay, which is full of fresh, unbroken, sanidine-felspar crystals. Traced into the forest, the brownish clay becomes red and the felspar crystals are completely decomposed, whilst in the yellow loam the felspar remains perfectly fresh, but is broken up.

From the general characters outlined above, it will be seen that the loam resembles the "loess" of China and the "adobe" of the central western United States. In the latter country, sun-dried bricks are extensively made from the "adobe," and are reported to stand the climate extremely well.

The surface forms assumed by the yellow earth are those of broad cones, which have their apices at the mouths of the rock-gullies which gash the fault-scarps. The gradient of the surface is gentle, but always increases towards the apex of the cone. Both its lithological character and its form show that the yellow loam is a sub-aerial deposit, derived from the waste of the rocks forming the fault-scarps and terraces, and carried down by ephemeral streams and general surface wash. Wind action seems to have played but a very small part in its formation, and was probably limited to the distribution of volcanic dust and lapilli over its surface.

The only fossils known from the loam are some scattered bones and a tooth of a ruminant which were found buried at a depth of nearly 20 feet in the nullah situated 5 miles south of Naivasha and a mile east of mile 384.

Flake of obsidian, obviously chipped artificially, and mixed with a few very rude obsidian implements of Neolithic type are found at the top of the loam in the neighbourhood of Naivasha, particularly about three-quarters of a mile east of the civil station. They are found on the bare surface after heavy rains, having been washed out of the earth. The natives call them "Mawe ya muungu" (stones of god), and say that they are thrown down during thunderstorms. Two kinds of obsidian have been used, one of which is not like any local rock, but might have been brought from the obsidian lava-flows near mile 417, or from the west side of Enjororowa, south of Lake Naivasha.

Limestone nodules (kunkar) occur in the yellow earth, chiefly just above the level of the ground water, and they are formed in a manner somewhat similar to the kunkar in the

black cotton soil, viz., during the evaporation of water drawn up towards the surface by capillarity. The concentration of the more soluble salts of the alkalies also takes place above the level of the water-table. The rainfall (amounting at Naivasha to 19·7 inches in 1904, and to 35·62 inches in 1905) dissolves the salts near the surface and carries them downwards, so that an efflorescence is seldom seen on a level surface, but a white efflorescence consisting of sodium chloride and sodium sulphate is found on almost every vertical and overhanging face of porous beds on Longonot and in the country east of it. The effect of the excess of salts in the sub-soil on the water supply from the loam is discussed in Section 5 (*a*). In the event of tracts of the loam being irrigated, the presence of the salts in the sub-soil will require further investigation in order to guard against the accumulation of salts at the surface, or so close to it as to injure the crop roots.

Lake Naivasha is remarkable for having no outlet and yet remaining quite fresh (except close to its margin, where it is slightly brackish). As Joseph Thomson remarked: "The freshness of the water would indicate either a very recent origin or an underground channel." If water does escape by a subterranean passage, it would naturally come to light again in the low-lying plains south of Longonot, but no such issuing stream is known.

Between Longonot and Lolbitat and due south of the extreme southern bay of Lake Naivasha a very remarkable dry valley, called Enjororowa, to which Mr. C. W. Hobley drew my attention, cuts through the barrier of volcanic rocks which bounds the Naivasha basin on the south. The valley has a broad flat floor, and its sides, which are often precipitous, vary in height from about 30 feet to over 200 feet. It follows a winding course in a south-westerly direction for about eight or nine miles, and opens out on to the plains south of Longonot. At each of the bends the concave wall of the valley is very steep, whilst the convex flank opposite has a gentle gradient. The valley has evidently been eroded by a large stream, and cutting as it does through the lowest part of the lip of the Naivasha basin, it is clearly an old outlet of Lake Naivasha. The floor of the valley at its intake is about 130 feet above the level of Lake Naivasha. The surface level of the lake, therefore, must have stood about 130 feet above its present level at the time the old outlet was in operation.

In view of this conclusion, it is remarkable that there is no trace of a terrace at this height in the soft and easily modified yellow loam. It has already been pointed out that the cones, into which the loam is built up, are evidently of sub-aerial origin, and the heights at which they occur have no relation to the old surface-level of Lake Naivasha. It may be surmised that the old outlet valley was eroded at a period before the formation of the yellow loam. In favour of assigning a greater age to the outlet valley, it may be mentioned

that in the lower part of the valley a V-shaped gorge with precipitous sides 100 feet high has been cut out in the floor of the valley. A small spring issues from the foot of the cliff at the head of the gorge, but the stream disappears by absorption and evaporation in about a quarter of a mile. Below this point there is a fresh stream-bed with large river terraces of pumice built up on either side, but these terraces are not found in the higher streamless part of the valley.

It seems probable that at a period not very remote, geologically speaking, Lake Naivasha stood at a level at least 130 feet higher than it does at present, and that it drained to the southwards by the Enjororowa valley. On account of some climatic change the lake then appears to have dried up, and the sub-aerial cones of loam were formed. Afterwards, in quite recent geological times, the lake basin filled up to its present level. It must be supposed that the salts deposited during the former drying up of the lake are buried beneath the loam.

The geological evidence thus seems to point to the recent origin of Lake Naivasha as the reason of its freshness. The paucity of the fauna, for example, the absence of fish and crocodiles, is a further argument in favour of this view.

(5) *Remarks on the Water Resources.*

(*a.*) Kikuyu.
(*b.*) Kapiti and Athi Plains.
(*c.*) Kinangop.
(*d.*) Naivasha.

Amongst the volcanic rocks the lavas are impervious, but may hold or transmit water in their joints and fissures. The tuffs and agglomerates are more or less pervious and may hold water throughout their mass, but their very fine grain diminishes their value as water-bearing beds. The partly consolidated sands are the most thoroughly previous beds, but on account of their limited distribution they have only a very local value.

(*a.*) On the eastern side of the Rift Valley, the gentle eastward dip of the beds causes most of the springs to issue on the eastern or Kikuyu slope, whilst very few issue on the scarp face to form streams descending into the Rift Valley (*see* Fig. 2). The most important of the latter, which came under observation, are some springs near Escarpment and above Kijabe, the waters of which flow into the Kedong River. On the Kikuyu slope the larger springs issue from beds of tuff and agglomerate. There are no doubt areas in Kikuyu in which comparatively shallow wells could be sunk to these water-bearing beds, but the quantity of water to be obtained in this manner would be small. The abundance of perennial streams,

however, renders the sinking of wells unnecessary, and the numerous narrow valleys favour the construction of small storage-reservoirs for increasing the supply. In the selection of sites the outcrops of beds of tuff and agglomerate must be looked to, as they afford a good chance for the water to leak out laterally into an adjoining valley.

The forests have a most important influence in regulating the volume of the streams, apart from the debated question of their increasing the rainfall. They conserve the excessive rainfall of the wet seasons in the soil and sub-soil, from which a portion seeps slowly into the stream-courses, whilst another part soaks down into the joints and fissures in the volcanic rocks, and issues as springs at a lower level. The forest thus decreases the immediate run-off of the rainy seasons, and increases the supply to the streams in the dry seasons. If the forests be destroyed the soil and sub-soil will be eroded and most of the rainfall will run off at once into the streams. Thus the rivers will inevitably become torrents during the rains and dry up during the dry seasons. The springs will slowly diminish in volume, because the bare volcanic rocks cannot absorb as much water as when overlaid by water-holding soil and sub-soil. The waterfalls of the Kikuyu country must be reckoned as a distinct asset to the power supply of the country. Their value depends in part on the permanent equality of volume of water, and thus on the presence of the forest.

(*b.*) *Kapiti and Athi Plains.*—It has been shown in the detailed description that these plains are formed of thick sheets of phonolite, which have flowed up against the gneissic hills of the Machakos District. Of the rivers flowing across the Plains, the Ngong and Athi Rivers rise from several sources in the uplands to the westward. The Stony Athi River appears to be an ephemeral stream, whose catchment area embraces the whole of the southern half of the Plains, the greater part of the water coming from the higher ground on the west. Two or three very small springs are reported to issue at the base of the gneissic hills east of the Plains. The one at the foot of Wami Hill was almost dried up when visited near the end of the dry season. The water appeared to be issuing from the joint-planes of the gneiss and to judge from a description of the sites of the other springs, they have in all probability a similar origin.

The prospect of obtaining a supply of water from underground sources is not good. It would depend on (1) the presence of water in the joints and fissures of the phonolites; (2) on the presence of beds of tuff or agglomerate, which would lie on the gneiss at the base of the volcanic series.

(1.) On the higher parts of the plains situated north-west of the Athi River, the phonolites are not likely to contain any appreciable amount of water in their joints, as the free edges

of the lavas are exposed in the direction of the dip in the scarp on the north-west side of the Athi River. The bore put down in Nairobi Station Yard penetrated from the top of these lavas to the depth of 100 feet, but no water was found. The section across the Athi Plain indicates with tolerable certainty that a considerable thickness of lava lies beneath the base of the bore. Since the joints are sensibly vertical, only a very small number can be crossed in a vertical bore, and, further, they close up in depth owing to increasing pressure. Hence, a deepening of the bore is not likely to prove more successful. A well, sunk in the lower part of the plain, south-east of the Athi River, might strike a small supply of water in the joints of the phonolites, but the undertaking can only be regarded as an experiment.

(2.) There may be beds of tuff and agglomerate lying beneath the phonolites and upon the gneiss, such as are actually found in this position at Fort Hall and near Muhoroni, but since such beds can have no outcrop by which water could enter them, the quantity in them must be limited to what can pass down through the joints of the overlying beds. Whilst it is admitted that there is a good deal of the theoretical about it, there is a chance that water would be found by sinking through the lavas on the lower levels of the plains east of the Athi River.

(*c.*) *Kinangop.*—The plains of Kinangop (including their extension northwards to Lake Olbolosat) are watered by several streams which take their rise on the western slopes of the Aberdare Mountains. At the time the plains were traversed the streams were in flood, and I have no definite evidence as to their volume in the dry season. In any case, the streams are often widely separated, and an increase in the water supply may be desirable when the plains are colonised.

The prospect of obtaining water from underground sources is good, though the water may sometimes lie at an inconveniently low level. The plains are formed of more or less pervious tuff and agglomerates, with which are interbedded in the northern portions of the plains some porous sandy beds. This series of beds overlies impervious lavas, and dips eastward at gentle angles against the lavas of Laikipia and the Aberdare Mountains. Thus an underground basin is formed in which the level of the underground water is determined primarily by the height of the outcrop of the tuffs on Kinangop Scarp. At this outcrop the underground water escapes in small springs, of which that at Njoro Camp on the Naivasha-Nyeri Road, about six miles north-east of Naivasha, is an example.

The beds underlying the plains differ in their porosity, and hence in their water-holding and water-transmitting capacities. On this account alone the depth at which water will be found may vary considerably at places a short distance apart.

The differences of porosity amongst the tuffs and "sandstones" may cause the water in the porous beds to be under considerable hydrostatic pressure, for a close-grained bed, full of water overlying a more open-grained bed also holding water, is almost the same as if the more porous bed were overlain by an impervious one. In two places thin flows of lava, which will act as impervious beds, were seen amongst the tuffs. The water may thus rise considerably in a bore-hole or well, and in certain circumstances may flow at the surface. On the low part of the plain, south of Lake Olbolosat, the conditions are most favourable to the success of a deep bore because the rocks include here a series of porous sandstones, which crop out on higher ground to the west.

(*d.*) *Naivasha.*—The yellow gritty loam which occurs in great thickness round Lake Naivasha is very porous and holds water. The bore put down at the Morendat Bridge showed that the deeper portions are more clayey and, hence, would hold up the water. A short shower of rain is absorbed by the loam, whilst during a long heavy shower there is a large surface run-off, but the ground dries again at once. Of the rain-water absorbed, a portion percolates downwards and maintains a water-table which rises above the surface-level of Lake Naivasha.

There is an impression that the water which has been obtained from the wells sunk in the loam has soaked into the wells from the lake, but the water-level in the wells is above that of the lake, and rises to greater heights as one recedes from the lake. The contrary statement that the water in the loam is derived from absorbed rain-water, which tends to seep downwards and laterally towards the lake, is nearer the truth. The concentration of salts in the sub-soil, which has been discussed in Section 4 (*c*), has an important bearing on the water supply from the loam.

Several wells have been sunk in the loam in the neighbourhood of Naivasha. The water was at first fresh, but in the course of some weeks became too saline for use. The reason is, that the water which first filled the well came almost entirely from the lower part of the water reservoir, through the floor of the well. After the water-level had become steady, and the well brought into use, the water which seeped in to replace that drawn out, is derived from the upper part of the water reservoir around the "cone of depletion," that is, from water seeping through soil containing an excess of alkaline salts.

The remedy, which at once suggests itself, is to put a concrete lining into the well, which would permit only the lower and fresher water soaking in through the floor and lower part of the well-wall. The concrete should, of course, be carried a foot above the ground-level to prevent contamination by polluted waters running into the well from the surface. If this

MAP

TO ILLUSTRATE REPORT ON THE GEOLOGY OF THE

EAST AFRICA PROTECTORATE.

SCALE

MILES 10 0 20 40 60

Printed at the Ordnance Survey Office, Southampton, 1908.

be carried out there is every probability that the "landies" between Gilgil Railway Station and mile 380, as well as Naivasha Railway Station, could be supplied with water from wells.

Naivasha township might also be supplied with water pumped by wind-power from a line of wells sunk in the loam north of Naivasha and parallel to the railway, if the cost of the scheme compares favourably with that of bringing water from the Morendat River or from the centre of Lake Naivasha. Provided that the wells are kept free from direct pollution, the supply from the wells should remain good, if the drainage area of the wells is kept in pasture only.

H. Brantwood Muff.

December 20th, 1907.

COLONIAL REPORTS.

The following recent reports relating to His Majesty's Colonial Possessions have been issued, and may be obtained from the sources indicated on the title page :—

ANNUAL.

No.	Colony, &c.	Year.
521	Hong Kong	1906
522	Falkland Islands	,,
523	Ashanti	,,
524	Jamaica	1905–1906
525	Uganda	,,
526	St. Helena	1906
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528	Bermuda...	,,
529	Gibraltar	,,
530	Northern Territories of the Gold Coast	,,
531	Sierra Leone	,,
532	Colonial Survey Committee	1906–1907
533	Weihaiwei	1906
534	Gold Coast	,,
535	Malta	1906–1907
536	Gambia	1906
537	British Central Africa Protectorate	1906–1907
538	Bechuanaland Protectorate	,,
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543	Bahamas...	,,
544	Barbados	,,
545	Trinidad and Tobago	,,
546	Grenada	,,
547	Mauritius	1906
548	Fiji	,,
549	Jamaica	1906–1907
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551	Northern Nigeria	,,
552	British Honduras	1906
553	St. Lucia	1906–1907

MISCELLANEOUS.

No.	Colony.	Subject.
37	Ceylon	Mineral Survey, 1904–5.
38	St. Helena	Agriculture.
39	Jamaica...	Cayman Islands
40	Northern Nigeria	Taxation of Natives.
41	East Africa Protectorate ...	Report on Kenia Forests.
42	Ceylon	Mineral Survey, 1905–6.
43	Caicos Islands	Fibre.
44	East Africa Protectorate ...	Survey Department.

COLONIAL REPORTS—MISCELLANEOUS

No. 49.

EAST AFRICA PROTECTORATE.

ANNUAL REPORT OF THE VETERINARY DEPARTMENT, 1906–7.

Presented to both Houses of Parliament by Command of His Majesty.
March, 1908.

LONDON:
PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE,
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1908.

[Cd. 3917] *Price* 3½*d.*

No. 49.

EAST AFRICA PROTECTORATE.

ANNUAL REPORT OF THE VETERINARY DEPARTMENT, 1906–7.

THE COMMISSIONER to the SECRETARY OF STATE.

Governor's Office,

Nairobi,

16th May, 1907.

MY LORD,

I SUBMIT the Annual Report of the Veterinary Department, together with a minute by the Commissioner of Lands, in advance of the general Annual Report of the Protectorate, which cannot be prepared for some time yet, as it is of special interest at a time when so much attention is being directed to animal diseases in our African Colonies.

2. The report is well illustrated by photographs,* it reflects credit on Mr. Stordy and his staff, shorthanded as they have been for the greater part of the year, and forms a valuable addition to the literature of the subject with which it deals.

3. I would suggest that the report be printed, and that copies may be provided for the use of this Protectorate.

4. Enclosed is the map† showing the fly-affected areas alluded to in the Report, and a plan of the quarantine area at Nairobi.

I have, &c.,

J. HAYES SADLER.

His Majesty's Principal Secretary of State
for the Colonies,
Downing Street,
London, S.W.

---

* Only three of the photographs are reproduced

† Not reproduced.

His Excellency,

The Annual Veterinary Report is forwarded.

Mr. Stordy and his staff are entitled to credit for the good work done during the past year.

Until quite lately the Veterinary Staff of the Protectorate has been quite inadequate to the needs of the country. This has been recognised, and we now have a staff with which it will be possible to do more effective work.

The posting of a Bacteriologist is a great gain, and it is a fortunate circumstance that the Bacteriologists of the Medical and Veterinary Departments are able to work together and assist each other.

The Colonial Office circular of the 27th February last shows that a Veterinary Survey of the Colonies and Protectorates of Africa is to be undertaken systematically. It must not be supposed that a great deal of useful information has not already been collected by Mr. Stordy; indeed it will be a considerable aid to Mr. Simpson, the new Bacteriologist, to work under an officer of Mr. Stordy's experience.

The report is very interesting, illustrated as it is by excellent photographs.

The "fly map" referred to in the Laboratory report will follow when ready.

J. Montgomery,
Commissioner for Land.

May 14th, 1907.

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ANNUAL REPORT OF THE VETERINARY DEPARTMENT (EAST AFRICA PROTECTORATE), 1906 TO 1907.

The Veterinary Staff at present is as follows:—

Office.	Name.	Station.
1. Chief Veterinary Officer	Mr. R. J. Stordy ...	Nairobi.
2. Deputy-Chief Veterinary Officer...	Mr. F. R. Brandt ...	Naivasha.
3. Veterinary Bacteriologist	Mr. H. G. Simpson ...	Nairobi.
4. Veterinary Officers (5) ...	Mr. R. Edmondson ...	Mombasa.
	Mr. W. R. B. Wakeham.	Fort Hall.
	Mr. A. G. Doberty ...	Kisumu.
	Mr. A. E. Massy ...	Lamu.
	Mr. R. P. Thomas ...	Nairobi.
5. Live Stock Inspector	Capt. C. A. Neave ...	Nairobi.
6. Indian Veterinary Assistants (4)	Mahomed Din	Nairobi.
	Khalibur Rhaman ...	Mombasa.
	Karam Elali	Naivasha.
	Ghulam Hassan Shah...	Baringo.

It will be seen from the above that veterinary supervision is now distributed over the Protectorate. The veterinary officers in the various centres are now travelling round their districts, getting into touch with settlers and natives, and although the substantial increase to my staff is of recent date, the effect of having responsible officers in outlying districts is already being felt.

Cattle Diseases.

East Coast Fever.—In an endeavour to control this disease, the existence of which in the East Africa Protectorate was reported in my last Annual Report,* it was found necessary to apply to the Home Government for a sum of £2,000 with which to erect a barbed wire fence round the infected areas of Nairobi.

A fence has been erected having a perimeter of 27 miles, with seven main double gates with neutral areas between, and several turnstiles on native paths. The cattle within this quarantine zone to the number of 1,700 odd have been branded in consecutive numbers (animals allowed in for slaughtering purposes are branded with a distinctive mark, and are not included in this number).

Out of this number between 350 to 400 have died of this disease. Owners desirous of removing their cattle outside the area are permitted to do so after their cattle have passed

* Appendix VIII. in Colonial Report—Annual No. 519.

through an observation boma, which has been erected at the confines of the quarantine zone on the Kyambu Road.

The period of observation is 31 days, and on completing this period satisfactorily they are sprayed and a brand P.Q. (passed quarantine) imprinted on the shoulder. The above, in the main, has worked satisfactorily; the changing of the cattle, however, at the boundaries and the high transport charges demanded by the transport riders inside the quarantine area have militated against farmers, more particularly in the Kyambu District, bringing their produce to the Nairobi Railway Station. A meeting of the settlers was called, and a satisfactory solution of this difficulty was arrived at, viz.: the fencing of the main thoroughfare through the quarantine zone to the railway station, thus placing the main road outside quarantine limits. This work is now in hand, and I trust will be finished by the end of the financial year.

It is of course a difficult matter to enforce the strictest quarantine regulations when one remembers that the duties at the different gates are carried out by an illiterate native police, who have been known to pass cattle whose owner has shown to them a blank cheque purporting to be a pass from my office, and to whom one rupee is possibly a tempting bribe.

The settler community, with few exceptions, have however, acceded to the regulations without demur, and have thereby assisted my staff in their endeavours to confine the disease to the infected areas.

East Coast fever in this Protectorate is slow spreading, and in many cases deaths occur at considerable intervals; until such time as all the cattle are removed from the Nairobi infected area, I fail to see how one can hope to render the now infected ticks innocuous.

No doubt the road now being made through the area will greatly assist in withdrawing cattle from the zone, yet there is a very large amount of transport work to be done in Nairobi building centres, and until a substitute means of transport can be arranged, infected lands will have cattle upon them.

There are also two dairy farms included in the area, together with a considerable number of privately-owned milch cattle.

For the present nothing can be done but to continue the regulations now in force.

Great damage has been done to the fence by herds of zebra and hartebeeste, and natives have also in many places deliberately broken it down, this necessitating a constant gang of men under Mr. Goldfinch, who has been temporarily employed for the purpose of keeping it in repair.

Thefts of cattle by natives have recently been especially frequent; during the past few days the quarantine fence was

broken down and six cattle stolen and removed from the quarantine area; thus, while every endeavour is being made to enforce the local regulations, it will be seen that it is most difficult to keep up a perfect quarantine system. A team of eight oxen, which recently left the quarantine area without permission, were promptly destroyed under the regulations.

The necessity of strictly enforcing quarantine is greater than ever, as it seems likely that any ticks having two or three hosts may, after feeding upon an infected animal, be capable of transmitting the disease to their next bovine host. At least, in the light of our present knowledge, it would not be safe to assume that any such varieties are harmless until it has been experimentally proved in each case.

No doubt a large number of ticks could be destroyed by constantly burning the grass, but owing to the recent drought and the consequent scarcity of grazing, this would necessitate bringing in forage from outside for the animals within the zone, which would be practically an impossibility.

Since writing the above, cases of Coast Fever have occurred on Mr. Oulton's farm, nine miles from Nairobi, and in the district of Kitui.

It would appear that cattle from German East Africa are being smuggled into the Kitui District, and are then brought into the neighbourhood of Nairobi under passes issued to their owners upon the supposition that the cattle belong to the Kitui District.

Owing to the impossibility of effectually policing the whole of this large Protectorate so as to prevent the surreptitious movement of stock, the only practical safeguard for stock owners is a system of fencing, which would require State assistance. After consultation with the South African authorities and Mr. Stockman in London, I hope to be able to lay a satisfactory working scheme before His Excellency the Governor.

Pleuro pneumonia.

Eight outbreaks have occurred during the past year, two of which are still in existence, involving about 1,200 head.

This epizootic is a very serious drawback to the stock industry of the country, and I propose, as soon as the completion of the laboratory permits of a constant supply of reliable pure culture being manufactured, to enforce compulsory inoculation among the herds of the country. The results of direct inoculation have hitherto been somewhat unsatisfactory.

The method of Dujardin-Beaumetz (*vide* Annals de l'Institut Pasteur, 1906, p. 449), which is growing the organism on bouillon mixed with horse-blood serum, is deserving of trial.

Rinderpest.

A report from the Veterinary Officer, Kismayu, has just been received reporting rinderpest to be prevalent in Jubaland Province. All precautions are being taken to prevent its further spread.

Texas Fever.

This disease still continues to levy toll on imported animals and on cattle changing veldt and altitude. The six imported Devons, which have undergone a process of immunization by Mr. Stockman, are now under close observation on Mr. Oulton's farm.

The above cattle were, I understand, immunized by two forms of virus: English followed by African (three different methods).

I regret that two animals were not sent in order to control the experiment. Since writing the above three of the Devons have died; this will form the subject of a separate report. (Death was due to East Coast fever.)

M'kebbe.

Time has not permitted of the disease known by this native name being fully investigated. The glands of calves from different areas have been punctured, and the circular bodies described by Dr. Ross in Appendix 1 of my last year's report, have been demonstrated.

I have instructed Mr. Simpson to institute further research into the etiology and pathology of this disease.

Quarter-evil.

On January 4th Captain Neave visited the district of Mukaa, about ten miles from Machakos Road Station, where some cattle had been reported sick. He reports as follows:—

"I examined a two-year-old bull, temperature normal, but with near hind-leg swollen from hock to stifle. The swelling had appeared, according to the native owner, the day before, and had increased from a small swelling near the hock until nearly the whole thigh and part of the haunch were involved. The swelling crackled on pressure and felt doughy. The animal was very weak and lame, but in good condition.

"It died at 10 p.m. the same night. I made a post-mortem examination at daylight the next morning. The swelling of the leg was no larger than the evening before, but the throat, neck, and abdomen were swollen and putrefaction had set in. The swollen part of the leg crackled still more distinctly on manipulation and on cutting into it the muscles were found to be putrid, pulpy, and full of thin sanious fluid, very dark in colour and stinking.

"There was considerable accumulation of gas in the muscles, bubbles of which kept on escaping. The fourth stomach was much inflamed, as were portions of the small intestines, and there was considerable sanious fluid in the abdominal cavity. Spleen and liver normal, lungs haemorrhagic, but, as stated before, putrefaction had commenced and had progressed considerably.

"I forward herewith slides from swollen leg, spleen, and liver. Considering the rapid death and the appearance of the swollen leg, I strongly suspect quarter-evil. The natives say they have had several deaths from it recently, and that the swelling often spreads over the whole body.

"I have quarantined this herd and informed Collector, Machakos."

The slides were examined microscopically, and a bacillus, morphologically indistinguishable from that of quarter-evil, was demonstrated.

This is the first outbreak of this disease to be chronicled in East Africa.

The natives interrogated by Captain Neave were, however, conversant with the disease. Whereas the native cauterizes his cattle for practically every disease, these natives stated that they found that cauterizing the swellings was generally fatal. The village is situated on the side of an isolated mountain upon which there are numerous swampy flats, one of which is close to their grazing grounds.

This locality is being kept under close observation for further investigation.

Tuberculosis.

No case has come under notice during the past year.

Gangrenous Ergotism.

In August last the shrivelled-up points of a calf's ears were forwarded to me by Mr. Caine, of Limuru. He informed me that the calf had shown symptoms of poisoning, and that the points of the ears and the tip of the tail had fallen off. The symptoms he describes as follows:—

"The calf was taken ill when I was away, and when I saw him 24 hours after he looked very bad, evidently in high fever, nostrils working, hurried breathing, ears hanging, staring coat, and dull eye. He walked with a jerky motion of the hind legs, and there was a slight discharge (thickish) from the nostrils, but the faeces were normal. There was a violent trembling of the hind quarters, the flesh on the hips quivering. There was, of course, a cessation of rumination and grinding of the teeth; after dosing him he gradually recovered, but it was some days after that I noticed his ears and tail had become dead at the tips, and I cut them off.

"Other cattle we have had have been sick from what I consider due to a vegetable poison, but which I noticed in time, merely showed the usual signs of sickness, loss of appetite, slight fever and invariably the trembling and quivering of the hind quarters, the symptoms being similar to poisoning from Tulp, which cattle are subject to in the Transvaal in spring time."

I wrote to Mr. Caine and asked him to send me a collection of grasses from his grazing grounds, more particularly any showing an appearance of smut. In forwarding this grass Mr. Caine says:—

"I was looking for ergot yesterday and came across a small patch of grass which appears to be attacked by smut; all the other grasses I came across were healthy and free from fungus."

The grass was forwarded to Mr. Wardle, the late chemist to the Medical Department, who cultivated the fungus on suitable media and demonstrated the presence of ergot.

The above case is of special interest, as ergot having been demonstrated in the grasses of the country, it probably accounts for the number of cases of abortion which occur among the herds of the country, but which, as yet, have never assumed the dimensions of an epizootic nor shown any contagious character.

Trypanosomiasis.

Large numbers of cattle in the vicinity of Taveta and at the foothills of the Segali Hills have died from trypanosomiasis, and tsetse fly (*glossina longipennis*) have been found along the banks of the Voi River.

Two Indian cows imported from the coast succumbed to tsetse fly disease shortly after their arrival here. In one of the cases the organism of East Coast fever was also demonstrated.

Cattle from Kavirondo and Mombasa have also died from the above disease.

The infection of the Kavirondo cattle is no doubt due to the *Glossina palpalis*, which is plentiful round the lake shores.

Native Herdsmen.

During the past year there have been several cases of reported poisoning and otherwise injuring cattle by native cattle herdsmen and syces. It is well known that the natives have considerable knowledge of poisonous plants and their effects upon live-stock, but they are so cunning that it is difficult indeed to establish cases against them. Three herdsmen, however, have been recently convicted of attempting to injure the cattle of their master by plugging the nostrils with leaves.

These leaves were extracted from the nostrils with the aid of bullet forceps. The natives were sentenced to 12 months' imprisonment.

I may mention that during the recent Nandi punitive expedition it was not uncommon to come upon native cattle hidden in the dense bush with their nostrils plugged with grass, probably in an endeavour on the part of the natives to stop their lowing so as to avoid detection.

Birds and Wounds.

The *Buphaga erythrorhyncha* (Tick bird), a bird of a slaty hue with a red beak and yellow eye, with peculiar claws which enable it to cling on and run round the body of an animal, are the cause of considerable damage to cattle and donkeys. They are in most cases attracted to the animal by the ticks to be found on the animals, and in removing these insects they are of some benefit, but should the animal have a wound, they will peck at it until they have made a hole extending over a considerable area. Strong smelling antiseptics and other drugs have been applied with a view to prevent their attacks, but with little or no result; the only method is to keep all animals with wounds in confinement. The natives, more particularly those using the bow and arrow, kill these birds with wood-tipped arrows, whose tip is shielded by a tripod-shaped arrangement to prevent injury to the animal.

Wood-tipped Arrow, with tripod arrangement round point, used by natives for shooting Tick birds on cattle.

Head of *Buphaga erythrorhyncha* (Tick bird).

Diseases of the Horse.

Horse Sickness.—This disease has fortunately been less severe than usual; 36 deaths have been recorded during the past 12 months. The largest losers have been Mr. W. N. McMillan, at Donya Sabuk, and Mr. Ali Khan, livery stable keeper, Nairobi.

Mr. McMillan's stock farm is in the low-lying valley of the Athi River, and has proved very fatal to both horses and mules.

Mr. Ali Khan's stables are open sheds in close proximity to the Nairobi River and a papyrus swamp. He apparently considers the loss of a few horses a better policy than building sanitary and mosquito-proof stables.

A large number of horse owners have built or made their stables mosquito proof, and, in a very large majority of such stables, there has been no loss from horse sickness.

I enclose a photograph of Captain Neave's stable, built on up-to-date lines.

Our Transport Department are purchasing a few immunized mules from South Africa; their career in East Africa will be followed with interest.

The Uganda Railway and the Public Works Department have now nearly completed the filling in of borrow-pits, made during railway construction and building operations in and around Nairobi. This, it is hoped, by lessening the number of mosquito-breeding pools during the rainy season, may materially assist in suppressing the disease in the Nairobi district.

Biliary Fever of the Horse.

Only two cases of biliary fever have occurred during the year. In both cases jaundiced mucous membranes, rapid emaciation accompanied by high temperature, were the chief symptoms, and the *Piroplasma equi* were demonstrated in blood smears.

The treatment adopted in both cases was the administration of calomel, quinine, Epsom salts, and carbonate of ammonia.

Both cases recovered.

Glanders and Farcy.

No cases have been recorded. The mallein test at port of entry has proved most satisfactory, and British East Africa may at the present time be considered free from this disease.

Trypanosomiasis.

At Malindi large numbers of donkeys have died during the past year from tsetse fly disease. The *Glossina pallidipes* has a distribution along the coast line to the Gosha Forest in Jubaland. A horse which had been on safari, in the vicinity of the Voi district, also died, as well as a mule in the Tana Valley, Kenya Province.

Importers of stock should take the greatest care to ascertain that the fly-proof panels and windows of the railway trucks and horse boxes are closed in passing through the fly zone from the coast as far inland as Simba, mile 214, for scarcely a train passes but species of the Glossina have been found in one or more of the carriages. A notice to this effect has been affixed to all live-stock wagons on the railway system.

Mosquito-proof Stable.
Three stalls, one loose box, and syce's quarters.
Approximate cost, £18.
The spaces under the eaves are protected by wire gauze (mosquito-proof).

Epizootic Lymphangitis.

One case only has come under notice during the year. The animal was imported from Jubaland, and, being badly affected, was destroyed.

Spirillosis.

One case of *Spirillosis equi* has been found in this Protectorate during the year. The spirochaete varies in length from 14 to 20μ, and is about ·5μ broad. It is the second case to be recorded in veterinary literature as affecting horses, and the first with fatal results. The finding of the spirillum, or, more technically, the spirochaete, was verified by Sir John McFadyean, London.

Operations.

A large number of minor operations have, as usual, been performed. There have also been a considerable number of castrations. The import duty of 10 per cent. on geldings and mules has done much to encourage the importation of weedy stallions and mares, which, having the essential elements of procreation, are allowed in duty free, and no sooner have passed the Customs than the importers wish their stallions castrated. I am of opinion that a good gelding or mule is of more use in assisting in the development of this country than the weedy entire horses which are so frequently imported.

Intestinal Parasites.

Worms of several varieties are the cause of considerable trouble to horses, donkeys, and mules. It is of great interest to have found in the wild zebra specimens of the *Strongylus armatus* and *tetracanthus*. It will be remembered that these parasites were the cause of a very heavy mortality among the captured zebras on the Morendat Government Farm and Colonel Bailey's Athi River zebra ranche. It is to be regretted that Mr. Simpson did not ascertain if the formation of aneurisms had taken place in the wild zebra, for, should there be no such formation, it is highly probable that the zebra in its wild state partakes of some natural medicine in the form of some shrub (wild thyme ?) whereby the ravages of this parasite are curtailed.

Apropos of this matter it is interesting to record that when the mortality on Colonel Bailey's ranche was highest, two sick zebras were allowed to leave the kraal; they were kept under observation by Masai herdsmen in the vicinity, and in two or three weeks they recovered and regained their lost condition.

If it were possible to ascertain the natural remedy used by the zebras, if such there be, one of the great difficulties of keeping them alive in captivity would be overcome.

Diseases of the Sheep.

Sheep-pox.—Only two outbreaks of variola occurred during the year; both were confined to the Rift Valley, and were of small dimensions.

Scab.

This disease is fairly prevalent.

A large dipper is now in process of erection at the central station of Nakuru, and this will supply a long-felt want to the sheep-owners of this district. The East Africa Syndicate, Lord Delamere, and Mr. Chamberlain have erected private dippers on their lands.

With regard to dipping sheep at the port of entry, several complaints have been made that it is detrimental to do so, as Kilindini is exceedingly hot and the sheep would have just landed from a sea-voyage.

In practice this has not been found to be the case, 5,000 sheep imported by the East Africa Syndicate having been dipped without a single accident. However, to meet the wishes of sheep importers, I have suggested an alteration to the existing proclamation, whereby imported sheep, if passed healthy, be allowed to proceed direct to their destination, and dipped under supervision within a period of 10 days of their arrival. To prevent the disease being spread by native flocks, the movement from district to district is now coming under the control of the Veterinary Officers in the various provinces.

Nostril Fly.

The *Ostrus ovis* still causes considerable loss to sheep owners. Mr. Simpson is now engaged in endeavouring to hatch out the larvæ, when a further report on this pest will be published. Big game sportsmen have recorded the finding of larvæ in the nostrils of a large number of wild animals, such as eland, hartebeeste, Grant's gazelle, and many of the other antelopes.

As I recorded last year, Captain Neave has taken as many as 58 out of the head of one native ewe. In the case of the East Africa Syndicate sheep this pest was the cause of a great mortality among the young lambs. The ewes were tupped in Australia, and arrived in this country at the wrong season of the year, and the young lambs were infected as soon as they were dropped. I removed 22 larvæ from the head of a three weeks' old lamb. As mentioned before, no satisfactory or practical treatment is available.

The cutting down of bush and scrub has no doubt helped a little, but from past experience it would appear that sheep gradually become accustomed to the harbouring of this parasite.

East Africa Syndicate Sheep.

Blindness.—It is admitted on all hands that the condition in which the sheep of the East Africa Syndicate were landed was not a good augury for their future career in the country.

Nearly 50 per cent. of them suffered from blindness in one or both eyes, a blindness which fortunately has proved in most cases of temporary duration, but 40 to 50 have remained permanently blind. I attributed the cause of this to filthy pens on board ship, from which ammoniacal vapours were constantly emanating, and the faulty feeding *en route*. I do not think that this blindness was of an infectious nature, from the fact that the disease was not communicated to any other sheep on the property with which they commingled and lived.

Sore Feet.

In addition to filthy pens, the sheep were shipped with unclipped claws, many of which were several inches long on their arrival here. These long claws, coming into contact with the hard ship decks and constantly soaking in ordure, caused mechanical irritation of the coronary band, followed by inflammation and the formation of abscesses, accompanied by great lameness. Specimens of the clippings from these claws were sent to the Colonial Office.

Strongylus Contortus.

The wire worm, as formerly reported, is prevalent throughout the whole Protectorate, and causes a heavy mortality. Treatment in small flocks has proved satisfactory.

Parasitic Bronchitis.

Parasitic bronchitis appears to be prevalent in and around Njoro.

Trichostrongylus Instabilis.

An extremely minute worm inhabiting the fourth stomach of the sheep. This parasite causes grave lesions, and a high mortality among sheep in many parts of the Protectorate.

It has proved extremely fatal, in conjunction with the nasal fly, to imported sheep, causing parasitic gastritis and enteritis, rapid emaciation, extreme anæmia, and death.

Lysol solution, as recommended for the *S. cervicornis* by Sir John McFadyean, has proved a valuable vermicide, and many gallons of this medicine have been supplied to settlers throughout the year.

In making post-mortem examination of the contents of the stomach great care is necessary to avoid overlooking these parasites, owing to their extremely minute size.

Heart-Water.

Mr. Edmondson reports an outbreak of heart-water in the Rabai and Ribi districts.

Pleuro-pneumonia in Goats.

This disease is somewhat prevalent in the Protectorate; it is well known in Algeria, Somaliland, and South Africa, but little is known of its etiology. Two sick goats brought from Naivasha to Nairobi made spontaneous recoveries.

It is to be hoped that during the ensuing year, we shall add to our knowledge of this disease.

Diseases of the Dog.

Piroplasmosis.—Tick fever still causes a very heavy mortality among dogs. Imported dogs and their progeny, even when born in the country, suffer extremely from this canine plague.

The most attentive dog owners, who take the utmost pains to prevent their dogs becoming infected, have no more success than those who care least for their animals.

In the treatment of this disease Lugol's solution has been used with indifferent results. It is worthy of note that while many dogs apparently recover from their primary infection, a large proportion of them succumb, and that very rapidly, to a relapse.

In primary infection the percentage of infected corpuscles is not so high as recorded by Messrs. Nuttall and Graham Smith, but they are more numerous in primary infection than during relapse.

French and South African writers have, so far as I am aware, never noticed a very prevalent symptom in this disease, namely, ascites.

Dogs apparently recovering frequently manifest a sudden relapse, accompanied by dropsy of the abdomen, and this has hitherto proved invariably fatal. In the initial stages of the disease the administration of calomel is indicated, but its frequent use should be avoided.

I am of the opinion that good nursing is more beneficial than medicinal treatment, and a diet of liver, tripe, fresh blood, and Bovril soup has met with fairly good results in dogs kept under hygienic conditions.

Eczema.

As before reported, this complaint is fairly common, and frequently follows an attack of tick fever. It yields slowly to treatment, and in applying oleaginous dressings great care must be observed to keep the dog from the tropical sun, as blistering otherwise occurs.

Distemper.

A severe epizootic of distemper passed through several areas of the Protectorate during the year. Mombasa, Nairobi, Kyambu, and Kirawa districts were the chief centres. It accounted for a large number of deaths among dogs of all ages, breeds, and classes.

The lungs were the principal organs affected, and suppuration of the lung was of frequent occurrence.

The digestive system also suffered severely, cutaneous eruptions were very marked among well-bred, thin-skinned animals, and conjunctivitis was a fairly common symptom.

In cases of recovery chorea was almost invariably present.

I have never before observed such a large proportion of cases with this sequela.

The outbreak lasted from October to the beginning of January.

Trypanosomiasis.

Only one case of tsetse fly disease came under notice during the year. This occurred in a dog which had lived on the Island of Mombasa for a number of years.

Whether the dog had become infected on the east side of the island, from which all scrub has been removed, or at Kilindini, where the *Glossina pallidipes* has been discovered, is unknown. Dogs as a rule on the cleared side of the island live and do well.

Rabies.

No rabies exists at the present time in East Africa, but as this disease is very prevalent in Bombay, much care will have to be exercised in enforcing strict quarantine regulations against dogs imported from India.

Diseases of Pigs.

Rheumatism.—In the high and bleak altitudes of Limoru several cases of rheumatism have come under notice. Salicylate of soda has been used in all cases with satisfactory results.

Jiggers.

The *pulex penetrans* is a great pest in most styes, and appears to have a special predilection for pigs, penetrating the skin of

the scrotum, inner surface of thighs, lower surface of abdomen, and between the clefts of the hoof. Evacuation and dressing with strong antiseptics forms the necessary treatment, and careful cleansing of the habitation and bedding on pine sawdust the best preventive.

A considerable mortality has been reported recently among young pigs of a few weeks old.

Post-mortem appearances have in nearly every case shown only gastritis, and bacteriological examinations have given negative results, pointing to some irritant poison having been picked up while grazing.

This is further supported by the fact that stye-fed pigs of the same age on the same farms have not suffered, the mortality being confined to those running out at grass. The matter is being investigated by this Department in conjunction with Mr. Powell, the Botanist to the Agricultural Department.

No contagious diseases of swine have come under notice during the year. The swine industry is advancing rapidly, the majority of farmers are making a special line of this stock, and a large number of Berkshires, large White and Black Dorsets have been imported.

Diseases of Fowls.

Fowl Cholera.—There have been fewer outbreaks of this disease during the past year.

Avian Diphtheria. Diphtheritic conjunctivitis (Roup).

There have been several large outbreaks of roup in poultry farms around Nairobi.

The mouth, fauces, and nose have been affected, but the principal symptoms have been confined to the eyes. The treatment adopted has been the application of antiseptics to the diseased surfaces, and keeping the bowels open with Epsom salts in the drinking water, together with careful segregation and isolation of the affected birds.

Laboratory.

Great advance has been made this year in laboratory work, no doubt due to the better accommodation provided for the bacteriologists.

Nairobi Quarantine and Testing Station.

On the discovery of tsetse fly on the island of Mombasa, it was found necessary to remove the Kilindini Quarantine Station to Nairobi; a well-equipped building with 12 kennels for dogs, 10 mosquito proof horse-boxes, an excellent shed for cattle, together with set of stocks, office, and water supply is now in full working order. A quarantine area has also been fenced off in the Rift Valley at Naivasha Station.

Interior of Veterinary Testing and Quarantine Station.

Horse Box, Uganda Railway, showing wire gauze windows and panels.

Branding Ordinance.

An Ordinance for the branding of great stock is now in the hands of the Crown Advocate, and will shortly be published in pamphlet form. Several meetings of prominent settlers have been convened and their views obtained, and I am confident that the Ordinance will be of great benefit both to stock-owners themselves and the Government officials and police, who have many cases of stock thefts to investigate.

A Branding Ordinance for sheep, goats, and ostriches will also shortly be promulgated.

Experimental Farm.

Mr. Macdonald, the Assistant Director of Agriculture, Transvaal, on his visit here expressed the opinion that the site occupied by the Government Agricultural Farm was not a suitable one for agricultural purposes, but suggested that it would be an admirable one for veterinary experimental purposes. With this suggestion I fully concur, but should this area be handed over to the Veterinary Department, it would require to be kept free from cattle for at least 15 months as a number of deaths from East Coast fever have occurred there.

Diseases of Animals Ordinance, 1906.

An amended Ordinance is now occupying the attention of the Crown Advocate. It will contain several new regulations, and Mr. Stockman's suggestions will be incorporated.

The regulations have been made cognizable to the police, and the importation of rabbits prohibited.

Under the Ordinance, seven Boers who introduced cattle from German East Africa, in spite of being duly warned, were convicted and fined £50 each.

Now that the Governments of the South African Colonies have imposed a very heavy export duty on Angora goats and ostriches, it would be a great benefit to the settlers of this Protectorate, many of whom come from these Colonies, to enter into a reciprocal agreement with these Governments. I have already addressed His Excellency the Commissioner on this matter.

Uganda Railway Horse and Cattle Trucks.

These vehicles have been greatly improved by the addition of fly-proof gauze panels at both ends. Before this alteration, eight mules were suffocated in their journey from Mombasa to Nairobi, owing to the side panels having been closed. I am, of course, aware that wood fuel, more especially when ascending steep gradients, is dangerous on account of sparks; the

panels, however, now inserted admit of a good draught of air from end to end of the truck without danger of fire.

Museum.

This is proving of great benefit to settlers, and many of them have contributed specimens which are afterwards preserved in their natural colours by Kayserling's method.

Glass slides are distributed freely, and many settlers, who take an interest in the diseases prevalent in East Africa, send in blood smears from sick animals, thus assisting in determining the geographical distribution of many of our diseases.

Meat Inspection.

A daily meat inspection at the various large centres is now carried out by the Veterinary Officers of the Department.

Prices of Live-stock.

To in some way indicate the increasing responsibilities of the Veterinary Department, it may be of interest to quote the prices of live-stock in the open market.

Messrs. Newland and Tarlton, one of the firms of auctioneers in Nairobi, inform me that close upon £33,000 worth of stock has passed through their hands since the beginning of last year.

General Remarks.

An addition was made to my office during the year, which had proved necessary owing to the increase of staff and clerical work.

Professor Knuth, of the Berlin Veterinary College, paid a week's visit to Nairobi, on his way to German East Africa, with credentials from the Colonial Office. I had much pleasure in placing every facility in his way, and he took with him numerous entomological and pathological specimens.

Mr. A. C. Macdonald, Assistant Director of Agriculture, Transvaal, made a tour of inspection of this Protectorate, and his remarks, so far as they concern the Veterinary Department, will be found in his report to the Colonial Office.

I attach maps* of the Nairobi Quarantine Area, showing the line of fence and locations of coast fever outbreaks.

It will now be the duty of the Veterinary Department to systematically take in hand the epizootics which have from time to time devastated the live-stock of the country, and proved such a menace to its progress.

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* Not reproduced.

It will, of course, be some time before the Department is in full working order, because some of its officials are as yet new to the country, have had little experience of tropical diseases, and are yet unable to speak the language; but strengthened, as the Department has been, with a veterinary bacteriologist, four veterinary officers, and two Indian assistants, I am confident that great strides will be made in the eradication and suppression of contagious disease, in original research work, and, above all, helping settlers and stock-owners to a better knowledge of the stock diseases prevalent in this country.

ROBT. J. STORDY,

Chief Veterinary Officer.

COLONIAL REPORTS.

The following recent reports relating to His Majesty's Colonial Possessions have been issued, and may be obtained from the sources indicated on the title page :—

ANNUAL.

No.	Colony, &c.	Year.
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533	Weihaiwei	1906
534	Gold Coast	,,
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43	Caicos Islands	Fibre.
44	East Africa Protectorate ...	Survey Department.
45	Do. do. ...	Geology.
46	Northern Nigeria	Mineral Survey, 1904–5.
47	Do. do.	Do. do. 1905–6.
48	Nyasaland Protectorate ...	Mineral Survey, 1906–7.

COLONIAL REPORTS—MISCELLANEOUS.

No. 53.

EAST AFRICA PROTECTORATE.

REPORT ON VETERINARY BACTERIOLOGICAL WORK DURING 1907–8.

Presented to both Houses of Parliament by Command of His Majesty.
August, 1908.

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No. 53.

EAST AFRICA PROTECTORATE.

REPORT ON VETERINARY BACTERIOLOGICAL WORK DURING 1907–8.

Mr. H. G. Simpson to the Colonial Office.

May 11th, 1908.

Sir,

I have the honour to enclose a copy of the Veterinary Bacteriological Report of the East Africa Protectorate for the year ending March 31st, 1908.

I have, &c.,

Henry G. Simpson.

The Under Secretary of State for the Colonies.

Mr. H. G. Simpson to the Chief Veterinary Officer.

Laboratory,
Nairobi,
March 31st, 1908.

Sir,

I have the honour to submit a report of the veterinary bacteriological work performed during the period April 1st, 1907, to March 21st, 1908. The total number of specimens reported upon has been 1,667.

From the table it will be observed that the larger proportion of slides submitted have been negative on examination, and there has been an increase in East Coast fever and mutans —the latter being due to the fact that in cases of suspected outbreaks of this affection a request was made for as many slides as possible in order that the course of illness might be studied if possible. In addition, many slides were from an experimental cow and calf inoculated for this purpose from the imported Devon cattle.

Table of Examinations.

Negative	883
Redwater	38
East Coast Fever	295
East Coast Fever and Redwater (mixed)	6
Mutans	140
Piroplasma Equi	10
,, Canis	22
,, of Sheep	1
,, of Oryx	1
Blood Changes	90
Trypanosomiasis Horse	11
,, Mule	30
,, Ox	4
,, Camel	22
,, Sheep	1
Pleuro Pneumonia, cont.	29
Pneumonia	3
Epizootic Lymphangitis	4
Swine-Fever	1
Ringworm	3
Follicular Mange Ox	1
Gastritis	1
Sections of Tissues	14
Cysticercus Bovis	3
Hydatid Cysts	1
Internal Parasites	4
Spirillum	5
Acariasis (goat)	1

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Monthly Examinations.

1907.		October ...	154
April	200	November ...	126
May	141	December ...	72
June	142	1908.	
July	108	January ...	124
August ...	161	February ...	155
September ...	167	March (to 21st)	107

East Coast Fever.

District.	No. of slides.
Nairobi Area	35
Machakos and Kitui	31
Ngongo (Kinanjui)	63
,, (Oulton) (exclusive of Devons)	17
Naivasha	4
Kikuyu (Marsh)	30
Mombasa	1
Kyanbu	21
Ruruka	34
Heatley	10
Lumbwa	1

There has been a considerable increase in the number of slides showing the piroplasma parvum of East Coast fever, and in view of the difficulty in differentiating by microscopical examination between it and piroplasma mutans during life, it has been impossible at times to give an absolute diagnosis till further slides and history of illness had been procured. In many cases this was possible, but in others further slides were not forthcoming, and the cases have been reported as suspicious of East Coast fever.

In infected herds, and especially so in the case of Kinanjui, where the animals were passed through temperature camps and carefully watched, it was found in practically every case where slides were submitted at the *first* rise of temperature that the piroplasmata did not appear in the blood for two and three days, and in the variation of temperature during the disease that the highest cellular infection by no means coincided with the highest temperature reaction and vice versâ.

This again demonstrates the advantages of a strict supervision of the temperature camps, which enables an affected animal to be detected by a rise of temperature when this blood is as yet free from an infection of piroplasma parvum and therefore non-infective to ticks.

Similarly in the examination of slides, importance should be attached to the fact of an animal showing a high temperature and no piroplasmata in the blood as suspicious, and further slides should be sent from this animal or another with a lower temperature.

In post mortem specimens a valuable aid to diagnosis has been furnished in the absence or presence of "Koch's blue bodies" in spleen, liver and kidney smears, their presence having always been demonstrated microscopically in cases of East Coast fever. Koch and others have not definitely associated those bodies as part of the cycle of the piroplasma parvum, but the former asserts their presence in earlier cases of East Coast fever before the piroplasmata appear in the blood, and also their presence in putrefactive spleen and internal glands when the piroplasmata have become disintegrated—this latter fact has been demonstrated in the Laboratory where cases showed piroplasma parvum infection during life, and spleen smears were only obtainable after advanced decomposition had set in.

In view of the fact that South African literature gives the mortality from this disease as 95 per cent., it has been suggested that outbreaks here cannot possibly be East Coast fever, or, if they are so, then the disease must be considerably less virulent than in the Transvaal.

Undoubtedly the mortality in South Africa was 95 per cent., but that does not warrant the belief that we are not dealing with East Coast fever. The history of the disease in South Africa shows that it was originally imported from German East Africa, and its introduction into the Transvaal amongst a stock of cattle in which the disease was hitherto unknown would (now that the nature of it is fully established) naturally be responsible for a high mortality.

In this Protectorate we are practically situated in the home of the disease—how long it has existed it is not possible to say, but certainly a great number of years. This being the case, it is not unnatural to suppose that in a disease of this description some degree of immunity should exist amongst native stock, either as a result of actual recovery from an attack (salting) or in a resistance acquired by the young stock of such parents, which, whilst not constituting an immunity, yet enables them to withstand an attack of East Coast fever successfully.

The theory of an immunity existing in the cattle of this country has not been put to a practical test, but the variation in the mortality certainly points to the existence of such a factor.

Another point which has been raised is that no definite course of disease is run in an infected herd—that one animal dies and it is a long time before another case occurs. Here again the statistics of the Transvaal bear out this fact. It must be remembered that in the Protectorate up to now cattle have fed over large tracts of country many thousand acres in extent, and the probability is that there may be only one or two infected patches in that area, consequently it will be

some time before any of the cattle chance to touch these patches and until they do so infection will not occur. This is particularly so in the case of native cattle which are grazed over very large areas, and as soon as any cattle die, the remainder of the herd are removed to a fresh pasturage, and it is only by chance that deaths in these cattle are reported. Up to the present it has been practically impossible to locate the infected pastures, but the introduction of stock inspection, although only recently established, has proved the existence of the disease in districts which formerly were considered free.

The Nairobi area was quarantined some time ago as an infected area, with the idea of preventing the spread of the disease to the outlying districts. The tables of outbreaks show that the percentage of slides showing East Coast fever is not a very high one (during the period this report covers) as compared with the outside districts, which in a measure may be due to the fact that there is a large interchange of live stock other than bovines in the area which would enable infected ticks to cleanse themselves.

Piroplasma Mutans.

Sixty-five slides have been diagnosed as "mutans" from 19 different herds, and it will be observed that in some cases the slides came from herds affected with East Coast fever. It has been demonstrated by Theiler that the duality of the two piroplasmata cannot be established *conclusively* by microscopical examination, and it may therefore seem presumptuous that a diagnosis of mutans should be based on miscroscopical examination alone. "Mutans" being an inoculable piroplasm, it might have been demonstrated by inoculation, but this was not practicable, and the alternative was to make a diagnosis on the scarcity of the piroplasmata and the recovery of the animals affected. Previous inoculation from other affected animals had proved the existence of the disease in the Protectorate (see Report), and it is observed that in cases described as "mutans" that the piroplasmata are usually extremely scanty, that they take more the form of large or elongated rings (rods being in the minority), and that blood changes are well-marked, which latter phenomenon is not observed in East Coast fever; death also rarely takes place. Moreover, these piroplasmata persist intermittently in the blood for an indefinite period—how long it has not been actually determined—but it is proved that the piroplasmata exist in the blood of recovered animals, as evidenced by the fact that the blood of a so-called immune animal is infective when inoculated into a susceptible animal.

It has been proved that "mutans" may be demonstrated by the inoculation of infective or immune blood, but presuming that an animal is suffering from a mixed infection of East Coast fever and mutans, or that an animal affected with East

Coast fever has previously suffered from "mutans," the effect of experimentally inoculating a susceptible animal for differential diagnosis will not be sufficient, as the production of mutans in the experimental animal is not sufficient proof that the affected animal is suffering only from this affection, for the affected animal may be suffering from an uncomplicated attack of Coast fever and yet the inoculation of his blood will produce "mutans" in the susceptible animal. Therefore to be absolutely certain in suspected cases, tick infection with Rhipicephalus Appendiculatus would have to be instituted on another animal.

There is another point, however, touching on the Coast fever immunity question, and that is (presuming that such a state as immunity or resistance exists in native stock) whether in a so-called immune or resistant animal, the Piroplasma Parvum may exist in very scanty numbers owing to the mildness of the attack, and may then be taken as Piroplasma Mutans.

Koch some time ago made the assertion that Piroplasma Parvum existed in the blood of recovered animals (but this has since been disproved by Theiler and others), and he remarks that he has found the Piroplasma Parvum in the blood of so-called immune animals in German East Africa and Uganda.

Possibly this piroplasma is what has now been described as mutans; but should it be proved that the East Coast fever immunity theory is a feasible one, it is possible that some of the cases that are diagnosed microscopically as mutans without inoculation tests at present may resolve themselves into cases of Coast fever occurring as a mild attack, due either to a degree of immunity or to some resistance inherited from parents which have survived an attack of East Coast fever.

In any case, there are a large number of animals in the Protectorate some of which appear perfectly healthy and yet show a few piroplasms in their blood; in other cases an attack is accompanied by febrile disturbance for about ten days, after which the temperature subsides and the piroplasms gradually disappear from the blood and the animal regains its former health. This has been observed in the Nairobi Quarantine, Boma, where the animals were afterwards released and had no further attacks of illness, nor were the contact animals affected.

In the case of the Rumuruti, Baringo and Elgon herds only one batch of slides was submitted, and a further study of these cases was not possible; in the former two cases were queried as Coast fever, but as no further slides were forthcoming they were left as such. In practically every other case slides were submitted until they were negative on examination, the temperature normal, and the animal apparently recovered.

A slide was received from a tame oryx and a dead sheep in Somaliland; the oryx showed a scanty ring infection simulating Piroplasma Mutans, and three similar piroplasms were observed in the sheep, but in neither case could blood be obtained for inoculation purposes.

Trypanosomiasis.

Sixty-eight slides have been examined showing Trypanosomata. The mule trypanosome has been found in 30 slides (22 of these being from experimentally inoculated dogs) from eight cases received from Yonte, Boran, and Athi River. One sheep's slides from Mombasa contained Trypanosomata. Four slides from horses from Boran, Naivasha, Simba, and Athi River showed infection. Twenty-two camel slides contained Trypanosomata (18 of these being obtained from dogs after inoculation) from one case at Mombasa and three in Jubaland. In the ox four slides were received from two cases at Bura and two cases at Taveta.

In all the above horse, mule, sheep, camel, and ox cases Trypanosomata were distinguishable, which corresponded morphologically with those described by Laveran and Mesnil as existing separately or conjointly in the same animal, and therefore with this existence of more than one apparent variety in the same animal, a classification by means of the names Nagana and Surra has not been attempted. In the case of horse, mule, and camel inoculations were made into dogs, and apparently the same species of trypanosomes were encountered. As regards the diagnosis by motility, it has been suggested that the Trypanosoma Evansi of Surra is much more actively motile than the Trypansoma Brucii of Nagana, but in the fresh blood of infected animals it would not have been possible to differentiate the species by this distinction.

It was observed when examining fresh blood that apparently the same species exhibited different degrees of motility, some of them moving rapidly out of the "field" and others showing only a wriggling movement.

The same remark applies to the variation of the granular substance in the protoplasm of the trypanosome.

The two most frequent adult forms met with have been the "stumpy" variety and the "long thin" variety—the former of which existed principally in mules, and the latter in horses, although they have been found to exist side by side in the same animal.

The "stumpy" forms have not been confounded with the alteration in shape of the Trypanosome associated with reproduction.

The Mule Trypanosome inoculated into dogs was found to have an incubative period of from five to nine days, and the duration of this experimentally produced disease was from

28 to 36 days. Post mortem examination of the dogs showed enlarged spleen to be the most constant lesion, with, at times, congestive and ulcerative lesions of the stomach and bowels. The dogs during life gradually wasted away from the appearance of Trypanosomata till death, and in one case ulceration of the cornea was observed. No opportunity was afforded of following a full course of the disease in the mule, as he was destroyed on the fourth day after showing dropsical swellings of the brisket, abdomen, sheath, and legs, with a watery discharge from the eyes.

The Horse Trypanosome inoculated into dogs was found to have an incubative period of seven days, and the course of the disease lasted 15 days. The symptoms during life were identical with those of the preceding, and enlargement of the spleen was the only lesion on post mortem. The affected horse had strayed away at Athi River, and had been out seven days before he was caught; he was brought up for examination on February 4th, and his blood showed Trypanosomiasis, with temperature 101, dropsical swellings of brisket, abdomen, scrotum, and legs, and pallid mucous membranes. Mr. Edmundson decided to try arsenical treatment with a view to observing its effect on the course of the disease, for which purpose arsenic was administered daily till February 16th, when the treatment was discontinued. During this period the horse gradually wasted, there was a loss of hair on the abdomen, and pallidity of the visible mucous membranes. Opacity of cornea appeared on February 22nd, and the animal died on February 24th after an observation of 20 days' illness.

The post mortem showed the subcutaneous tissue of the thorax, abdomen, and thighs to contain amber-coloured dropsical fluid. The chest cavity contained a quantity of the same fluid; the pericardium also was dropsically distended. The outer wall of the heart was infiltrated with a gelatinous exudate, and contained many petechiæ. The lungs were pallid except for a few petechial spots. The mediastinal, bronchial, and tracheal glands were all dropsical. The spleen was enlarged and darkened, and trypanosomes were found in its substance about four hours after death. The kidneys were pallid, petechiated, and the capsule firmly adherent. The stomach and duodenum showed small petechiæ on their mucous surface, the rest of the intestinal tract being normal. The mesenteric glands were infiltrated with a gelatinous exudate. The enclosed chart* will show the temperature reaction and occurrence of trypanosomata during life, the highest blood infection being on the day of death.

The Camel Trypanosome inoculated subcutaneously into two dogs showed in each case an incubative period of seven days, and in one case a duration of illness of 15 days and in the

* Not reproduced.

other 22 days. In the first dog no abnormality was noticed on post mortem, and in the second dog enlarged spleen was the only symptom. There is no history to hand of the illness of the camel at Mombasa, and unfortunately no dogs were available to continue the strain, which died out with the second dog.

Here again, as in the horse and mule, several trypanosomata were observed, differing morphologically both in motility, shape, and amount of granular protoplasm. It was observed that the largest infection of trypanosomata did not correspond to the actual highest record of temperature; it was found that the trypanosomata in inoculated dogs were most numerous immediately after the rise of temperature.

Koch has assumed that Nagana and Surra are identical diseases. Laveran and Mesnil, on the other hand, consider that their further investigations will show that Nagana and Surra are not two "individual" diseases, but rather two "groups" of diseases, the Nagana group being dependent on the tsetse fly for its dissemination and the Surra group on the tabanus, stomoxys or other sucking flies. They have based their further identification and differentiation of individual trypanosomata on (1) cross immunisation, (2) serum diagnosis, (3) cultivation, (4) fly transmission. The first is a long and tedious method, and necessitates the difficulty of always having on hand immunised animals. The second consists in using the serum of goats cured of the disease for inoculation experiments, but the results obtained could hardly be considered conclusive. The cultivation on blood serum agar demonstrated certain morphological characteristics, which, whilst differentiating between Trypanosoma Brucii of Nagana and Trypanosoma Lewisii of rats, had practically no significance when applied to Trypanosoma Brucii of Nagana and Trypanosoma Evansii of Surra.

Fly experiments are at present being conducted by Dr. Ross with the mule trypanosome, which he has transmitted by means of Glossina Fusca, and he is continuing this with the horse trypanosome. Unfortunately the strain of the camel trypanosome died out. Taking as a basis the classification of (1) Nagana group transmitted by tsetse flies and (2) Surra group transmitted by tabanus and stomoxys, we might so far be justified in classing the trypanosomes we have encountered as coming under the first group. Both horse, mule, camel, sheep, and ox trypanosomes were met with in districts where tsetse fly abounds. It is true the tabanus and stomoxys also exist there, but in the case of the mule trypanosome at any rate the feeding of stomoxys containing this trypanosome in their stomachs failed to produce the disease in a clean dog, but the same trypanosome was transmitted by Glossina Fusca in the above manner. Dr. Ross, however, has not concluded his experiments, and the report on his results should be interesting and instructive.

Blood Changes.

Slides showing blood changes indicative of the later stages of piroplasmosis have been received from cattle, horses, and dogs. No peculiarity has been noticed beyond what has been referred to in previous reports, the principal being poikilocytosis, and punctata basophilia of the red corpuscles, polychromasia, and marginal points. These have been noticed principally in cattle which have suffered from redwater and in dogs in the later stages of piroplasmosis. These conditions are all admitted sequelæ of piroplasmosis or anæmia with the exception of the marginal points, whose rôle has not yet been demonstrated.

These marginal points have been observed in the laboratory principally in the blood of equines suspected of biliary fever, and also in a lesser extent in cattle. Whether they are a phase of piroplasmosis has not yet been established, and their presence has not been demonstrated to be of any particular significance.

Biliary Fever.

Equine.—Only 10 slides have shown the piroplasma equi, which, considering the frequency of occurrence of the Rhipicephalus Evertsii tick, is satisfactory. This disease does not call for any special remarks beyond those made in previous reports.

Canine.—Twenty-two slides demonstrated the presence of Piroplasma Canis, which in every instance but one was a fatal attack, the blood showing all the changes consistent with this affection.

Pleuro-pneumonia Contagiosa.

Twenty-nine specimens of lungs sent were affected with contagious pleuro-pneumonia—this, of course, does not represent the number of outbreaks, but they were submitted in conjunction with other diseases.

The treatment by inoculation so far has been by direct inoculation under the skin or virus from an affected animal, either by the wool method or principally by the means of a hypodermic needle. It was found that the former method often resulted in extensive localised swelling and gangrene, no doubt due in many cases to septic contamination, and the latter method is now adopted with better results. Provided a suitable case can be selected to obtain virus from, this method answers its purpose well, but in the event of stock owners desiring to inoculate their healthy stock in the absence of an outbreak, it would be necessary to have on hand a supply of inoculation material for this purpose, as the virus obtained in

the above manner necessitates immediate use, and it cannot be preserved for any length of time.

To obtain such a material, two courses may be employed—(*a*) a young animal may be subcutaneously inoculated in a suitable spot, which in due course develops a large swelling from which the virus may be collected, and after being glycerinised and carbolised, it can be used with good results for about a fortnight; (*b*) a pure culture is made in a specially prepared medium of Martin broth, bouillon, and serum, which yields a growth in about eight days. This culture can be kept going by sub-cultivation, and sent out hermetically sealed at any time. This first method is that favoured in Cape Colony, and the latter is favoured in the Transvaal. An attempt has been made in the laboratory to produce cultures both from virus kindly supplied by Dr. Theiler and also from cases in the Protectorate, but so far this has not been a success.

In all cases except one (where the virus deteriorated) the cultures have remained pure till the sixth or seventh day, when a cloudiness appeared and examination showed a contamination in the control tubes as well as the cultures.

No further inoculation experiments have been attempted, in view of the fact that it was not advisable to make use of the Quarantine Station for this purpose, and no other building was available.

Rinderpest.

The only outbreak reported has been from Jubaland, where it occurred in March, 1907, and re-appeared in January of this year. I was ordered to hold myself in readiness to proceed there, but was not required. The Director of Agriculture brought four cases of serum from the Transvaal in June, and twelve bottles were handed over to Mr. Clark in February for use in Jubaland on the present outbreak. The Department has no freshly prepared serum on hand, and this would have been an excellent opportunity of starting a serum station for this purpose, which would have enabled the Protectorate to combat fresh outbreaks with serum of its own preparation without applying for a supply from other Colonies.

Parasitic Specimens.

A good number of parasitic specimens have been received, many of them (such as the Strongylus of the Bronchi and the fourth stomach of the sheep) being of the commoner type. No fresh specimens of the Œstris Nasalis (Ovis) has been submitted; consequently the hatching out to ascertain the variety of fly responsible for its deposition has not been successful. A similar Œstris has been observed in the nasal cavities of congoni and water-buck, and strongyles similar to those of the

fourth stomach and bronchi of sheep have been found in the Thomsonii and Grantii. In addition, several large filaria were found in the caseous portion of the lung of a Thomsonii.

As regards the parasites affecting meat and rendering it unfit for human consumption, the most significant has been the increase in the seizure of carcases affected with Cysticercus Bovis (measley beef) since the introduction of a system of meat inspection controlled by a white man. Too much importance cannot be attached to this fact, as the consumption of meat infested by the encysted form of Tænia Saginata should be rigidly guarded against. Several carcases have been seized whilst offered for sale in the bazaar and shops of the town—the majority of these have been from Indian butchers. It is to be hoped the European butchers will recognise the danger to the community that such meat constitutes, and in their own interests will assist the Meat Inspector in his efforts to control its output.

The lesions are often very obscure, and it is only by the careful examination of an otherwise apparently healthy carcase that its presence may be discovered and afterwards demonstrated microscopically.

The majority of cases seized have been in advanced stages of degeneration of the cyst in a yellow, cheesy material, often calcareous. The lesions have been found principally in the thigh and heart muscle, but also in other muscular tissues of the body.

Distomiasis of the liver of sheep and oxen is also extremely common, and the majority of sheep's livers inspected reveal the presence of small tænia. Hydatid cysts of beef and mutton are also of common occurrence.

Plans have been submitted for the erection of a suitable slaughterhouse to replace the present insanitary system of meat supply to Nairobi, and it is to be hoped that the Municipality will attach the importance to it that this deserves. It is of the utmost importance that the meat supplied should be in a fit state for consumption, and the only way this can be accomplished is to erect a building on the lines suggested, where every carcase can be viewed from the time of killing to the time of its being carted away, and the present unsatisfactory methods (which are not only insanitary but constitute a serious menace to health) abandoned. This, together with a shop and bazaar inspection, should considerably minimise the risk of purveying any but sound meat. A certain class of butcher will find the restrictions onerous, but the unprejudiced man will recognise that protection *must* be provided for the consumer, and that such regulations are not imposed with the idea of restricting business, but for the safeguarding of public health, which, in a town like Nairobi, is of supreme importance.

Heartwater and Bluetongue.

No outbreaks have been reported, but in my Uganda report mention is made of a reported illness, whose history is suspicious of heartwater.

Skin Disease.

With the exception of three cases of cattle ringworm and one case of acariasis of the goat, no specimens have been received from the Protectorate. A slide was submitted from a bull in Central Africa, showing the parasite of follicular mange, and I ascertained that a similar affection was present in Uganda cattle together with ringworm.

Five slides showing the Cryptococcus of Rivolta of Epizootic Lymphangitis have been received from Mombasa.

Horse Sickness.

Several cases have occurred, and infective blood from three cases was obtained and forwarded to Dr. Theiler at Pretoria, who has kindly undertaken to experiment with it and communicate with this Department his opinion on the strain of virulence as compared with South Africa.

Other Diseases.

A mortality has occurred amongst chickens in the Nairobi area, but experiments so far have not revealed any organism which might be responsible; and inoculation, feeding, and incontact experiments have given no definite results. The disease appears to be a virulent form of roup affecting the tissues of the head, the ear, and nostrils, but no organism could be isolated from the blood or local lesions, and it was found that a change of pasture and treatment in the early stages of the disease was effective.

Ticks.

A good number of specimens have been sent in for classification, and the attached list* will show the localities in which the various species have been found. Up to March 1st no specimens of the heartwater tick (Amblyoma Hebracum) had been found in the Protectorate, although special search had been made for it, but on March 2nd several specimens of this species were sent in from Mr. Chamberlain's farm at Nakuru. The significant feature attached to this is the fact that the tick was only found after the arrival of some sheep from South Africa, which were allowed to proceed to Nakuru to be dipped instead of at Mombasa on arrival. It is a question if this

* Not reproduced.

tick was not imported on these sheep, as no stock-owner in the Protectorate had up to this time seen a specimen of it in East Africa.

Tuberculosis.

Up to March 15th no cases of animal tuberculosis had occurred in the Protectorate, but on March 16th I conducted post mortems on two imported bulls which had reacted to tuberculin at Government Farm, Naivasha; in one case a small lesion resembling the early stage of tuberculosis was found in one testicle; the bacillus was not demonstrated from this lesion, and sections are being cut for microscopical examination.

In the other case no visible tuberculous lesions were noticeable, but all the internal glands were in an extremely dropsical condition; sections are also being cut from these.

On March 20th an imported bull calf which had reacted to tuberculin was slaughtered, and a very small lesion was detected in one sub-lumber gland. In this case the bacillus was not demonstrated from the lesions, and sections are being prepared with a view to diagnosis.

Safari Work.

Since the last report I have been absent from the laboratory on safari during the following dates, viz.:—

May 12th to 15th at Njoro (*re* swine fever outbreak).

July 4th to 20th at German border (suspected cattle disease).

January 11th to February 1st in Uganda (reported cattle disease).

February 14th to February 16th at Naivasha (Government Farm).

As the above have all been dealt with in special reports there is no need for their further discussion here.

I have, &c.,

Henry G. Simpson, F.R.C.V.S.,
Veterinary Bacteriologist.

The Chief Veterinary Officer,
Nairobi.

COLONIAL REPORTS.

The following recent reports relating to His Majesty's Colonial Possessions have been issued, and may be obtained from the sources indicated on the title page :—

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539	Leeward Islands	„
540	Straits Settlements	1906
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546	Grenada	„
547	Mauritius	1906
548	Fiji	„
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552	British Honduras	1906
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558	Uganda Protectorate	„
559	Swaziland	„
560	St. Helena	1907
561	Ceylon	„
562	Falkland Islands...	„
563	Gibraltar	„
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565	Colonial Survey Committee	1907–1908
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567	Seychelles...	„

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50	British Colonies, &c.	Cotton Cultivation.
51	Southern Nigeria	Forest Administration.
52	South Africa	Native Education.

COLONIAL REPORTS—MISCELLANEOUS.

No. 50.

BRITISH COTTON CULTIVATION.

REPORTS ON THE QUALITY OF COTTON GROWN IN BRITISH POSSESSIONS.

BY

PROFESSOR WYNDHAM DUNSTAN, M.A., LL.D., F.R.S.,
DIRECTOR OF THE IMPERIAL INSTITUTE.

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No. 50.

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REPORTS ON THE QUALITY OF COTTON GROWN IN BRITISH POSSESSIONS.

By Professor WYNDHAM DUNSTAN, M.A., LL.D., F.R.S.,
Director of the Imperial Institute.

Introduction.

The following abstracts of reports relate to the character and value of samples of cotton, mostly resulting from native cultivation or experimental trials in British territory, which have been examined in the Scientific and Technical Department of the Imperial Institute, chiefly at the request of the Governments of the Colonies and Protectorates concerned. Prefixed to each report is a short statement indicating the present position of cotton cultivation in the Colony or Protectorate referred to. These reports may, therefore, be regarded as supplementary to my Report on "Cotton Cultivation in the British Empire and in Egypt," which was issued as a Parliamentary Paper in 1904 [Cd. 2020], and also to the information given in the "Handbook to the Cotton Exhibition" which was held at the Imperial Institute in 1905.

Largely owing to the efforts of the British Cotton Growing Association cotton cultivation in British Possessions has made great strides during the past two years, and certain facts of general importance may now be regarded as established.

It is clear, especially in West Africa, that the best chances of success lie in most cases in the improvement of native cottons rather than in the introduction of foreign cottons, a point to which attention was directed in my previous Report (page 3).

The history of Egyptian cotton cultivation shows the great results which have followed from the systematic cultivation and improvement especially by hybridisation of plants native to the country. The success which has attended the revival of cotton-growing in the West Indies is largely due to the fact that the cotton to which attention has been given is the Sea Island variety, which, although taking its name from islands on the coast of the Southern States of America, where it has been successfully grown in recent years, is stated to have been cultivated long previously, if it did not actually originate, in the West Indies, and is, therefore, known to be suitable to the conditions of West Indian soil and climate.

It is probable that several varieties of Upland American cotton might be acclimatised and established in our African

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Colonies, but careful and prolonged trials will be needed in order to demonstrate with certainty that this is the case. There can, however, be little doubt that many of the more valuable American varieties will not prove to be satisfactory when grown in countries of different soil and climate, and in which manuring and other accompaniments of highly-advanced cultivation are not at present possible.

The British Cotton Growing Association has already found that by establishing ginning and buying stations in the African Colonies and Protectorates an immense impetus has been given to native production, in fact, in West Africa the increased output is largely due to these circumstances. The native West African cotton is often of inferior quality, but in some instances has brought even better prices than American cotton of similar type. Since African cotton-growing must for the most part be carried on as a native industry, it cannot be too strongly urged that every encouragement and facility should be given to the improvement of native cultivation, both by direct instruction and advice to the farmers and also by demonstrations at selected centres of the results of systematic experimental work. The British Cotton Growing Association, with the aid of Government contributions given for the purpose, has made provision for the conduct of experiments and the supply of information to native growers, chiefly through European agriculturists specially appointed to those African Colonies and Protectorates in which cotton-growing shows possibilities of success.

The extent to which cotton-growing will be resorted to by the natives obviously depends on several factors, of which the most important are the price which can be offered and the competition of other occupations and of other agricultural crops. The collection of palm kernels and the preparation of palm oil in West Africa is so easy and remunerative an occupation, that it is at present useless to attempt to introduce cotton cultivation in the palm-oil regions of that country. Moreover, it must not be overlooked that cotton cultivation is one of the higher forms of tropical agriculture, and its successful pursuit calls for qualities which are not always to be found in the West African native, who frequently prefers the simple and, at least, equally profitable occupation of growing the food stuffs of the country. Fortunately, the growth of certain food stuffs may be carried on in rotation with cotton, and the extended adoption of this practice is to be recommended. In fact, cotton cultivation will have to be made a part of general agricultural practice if it is to become a permanent industry. The steps which are now being taken by Government to teach the natives of West Africa better agricultural procedure must therefore exercise an important influence on the extension and improvement of cotton cultivation. What is urgently needed in addition are the systematic experiments in improving native cotton, which can only be successfully conducted on scientific lines and by trained specialists.

In this connection difficulties have been encountered by the British Cotton Growing Association, chiefly owing to the virtual impossibility of securing at short notice the services of properly educated men with experience of the special problems of cotton cultivation. The ordinary American farmer from the Southern States of America is not likely to be successful in solving the problem of cotton-growing under new conditions, whilst agriculturists trained in Great Britain have no knowledge either of cotton cultivation or of tropical agriculture, and have, therefore, much to learn before they are in a position to deal effectively with one of the most difficult problems of tropical agriculture. Progress, which must in any case be slow, is rendered slower by these circumstances. At the same time, the problem is not likely to be solved except by continuous work on these lines, and it is now necessary that plant-breeding experiments should be conducted on some definite plan. Whilst much is to be learned from the work on seed selection, breeding, and hybridisation of cotton, which has been carried on by the United States Department of Agriculture, breeding operations, on the lines first laid down by Mendel, would seem to afford most promise of success. Through experiments on Mendel's method, much has been already done at Cambridge in breeding in England a description of wheat and barley of the kind required by the miller and the British consumer.

It would be out of place to discuss here the application of Mendelian principles or to describe the recent results obtained with cereals. The subject is alluded to here merely to indicate one scientific method which would appear to be available for the improvement by systematic breeding of the native cottons of West Africa. It is, however, obvious that such experiments are not likely to be successful unless they are conducted under the supervision of scientifically-trained men who are familiar with the details of the method and also have previously directed special attention to the problems of plant breeding. This subject is of special importance to all our African Possessions, both in those countries like West Africa where, as will be seen from the present reports, the chief problem is the improvement of native varieties, and also in South Africa and East and Central Africa, where the problem may prove to be to find the best type of exotic cotton to introduce and, if necessary, to improve.

India is outside the scope of the present report; but it may be mentioned that, whilst it had been stated on authority that it was not likely either that the area in India under cotton could be largely increased or that the ryot or native cultivator could be readily induced to improve the quality of the cotton he grows, yet, largely owing to the action of the British Cotton Growing Association in pressing the requirements of Lancashire and in affording facilities, followed by that of the Indian Government in starting experimental work in cotton cultivation, an extra million acres have been stated to have been

brought under cotton during the past year, and already a better description of cotton from India is being exported to this country. In fact, there can be little doubt that by systematic breeding from the now inferior native cottons of India and West Africa, especially of Northern Nigeria, a type of cotton can be grown in these countries of the superior quality needed by the Lancashire manufacturer and, provided that economic conditions are favourable, in such large amounts as to render the British consumer in course of time nearly independent of American supplies.

Reference has been made to the successful revival of cotton-growing in the West Indies, where the long stapled Sea Island cotton is now being grown with profit, often commanding higher prices than the Sea Island cotton of the Southern States of America. The efforts of the British Cotton Growing Association in the West Indies have been greatly aided by the information and guidance which have been afforded to growers by the Imperial Department of Agriculture under the direction of Sir Daniel Morris.

Whilst growers in the West Indies appear to have reason to be satisfied with the success of Sea Island cotton, it would not be well for other countries to depend entirely on the production of this variety, which, although it fetches at present a higher price than any other kind of cotton, is used for special purposes only, and is therefore employed in comparatively small quantity. It is also to be noticed that Sea Island cotton gives a much smaller yield, and is more difficult to establish and maintain of high quality than any other kind. In most countries in which Sea Island cotton succeeds the Egyptian varieties are also likely to do well. It is said that there is a steadily increasing demand in the English cotton mills for Egyptian cotton of fairly long staple, and the cultivation of this kind is in most cases less precarious than the growth of Sea Island cotton, whilst it is likely to be more remunerative than the cultivation of ordinary American Upland.

One of the most striking features of the accompanying reports is the excellent quality of cotton which has been grown in South Africa, especially that from American seed. In the Zoutpansberg district of the Transvaal, it will be seen that cotton grown from American seed has been valued at a higher price than the corresponding cotton grown in the United States. The results of succeeding crops will be watched with much interest. In this district of the Transvaal and in North-Eastern Rhodesia, labour in some districts appears to be sufficiently abundant, but transport requires improvement before cotton-growing can be successfully established. It is also interesting to notice that American cotton has apparently proved successful on the high ground of Nyasaland and in Uganda. Among the British Possessions in which cultivation on a small scale may prove to be remunerative are Ceylon, Fiji, and Cyprus. In the latter island conditions are exceptionally

favourable, but systematic experiments are needed in order to ascertain the kind of cotton which is best suited to the Island. (See my Report on the Agricultural Resources of Cyprus [Cd. 2717] of 1905.)

In Cape Colony, and more especially in Queensland and the Northern Territories of South Australia, cotton-growing is largely a question of the sufficiency of cheap labour.

The following reports deal with the samples of cotton for which reports from the Imperial Institute have been asked by the Governments of the Colonies concerned. These samples are not necessarily representative of the cotton producible in these countries, since many represent native cottons grown without special cultivation, whilst others are samples of cotton grown experimentally on a small scale. The reports have been written for the information and guidance of those interested in cotton production, who have applied for assistance from the Imperial Institute through their respective Governments.

The subject of the technical value of British-grown cotton has continuously engaged the attention of the fibre section of the Scientific and Technical Department of the Imperial Institute for several years. In addition to the subjects included in the present reports, numerous special and technical investigations have been conducted by Dr. Goulding, Mr. F. W. Barwick, and Mr. R. G. Pelly, whilst the Department has been in communication with those engaged in cotton cultivation in all the principal British Possessions and also with merchants and consumers in this country to whom it is much indebted for the active interest they have taken in the production and utilisation of British-grown cotton and for the readiness with which they have rendered assistance. Information has also been collected as to cotton cultivation in all the producing countries of the world. In addition to the reports now brought together, many notices respecting cotton cultivation have appeared from time to time in the quarterly "Bulletin of the Imperial Institute."

At the Cotton Exhibition, which was held at the Imperial Institute in the summer of 1905, a large number of samples of cotton grown in British Possessions and also in foreign countries were shown. These included a unique collection of cottons which had been examined at the Imperial Institute, displayed so as to exhibit the length of staple and other characteristics. Owing to the interest which this collection created, it has been placed on permanent exhibition in the Public Galleries, and will be added to from time to time as additional material is received and examined.

WYNDHAM R. DUNSTAN.

March, 1908.

EUROPE.

Cyprus (One Report).

Cultivation.—In the spring of 1904 the island was visited by Professor Wyndham Dunstan, F.R.S., Director of the Imperial Institute, at the request of the Secretary of State for the Colonies, and a report on its agricultural condition and, especially, on the prospects of cotton-growing was drawn up by him and has been published as a Parliamentary Paper ("Report on the Agricultural Resources of Cyprus with special reference to Cotton Cultivation" (Cd. 2717 of 1905)). A short account of this report is given in the Bulletin of the Imperial Institute (1905, Vol. 3, p. 327).

A few thousand acres are under cultivation in Cyprus by native proprietors, but a very much larger area is available, and in former times cotton was grown on an extensive scale. In general, the soil and climate are suitable. The rainfall is small and uncertain and never exceeds 40 inches per annum, but in some places water is obtainable from wells. The extension of the cultivation depends chiefly on obtaining further supplies of water for irrigation, and the improvement in quality on the conduct of systematic experimental work.

Cotton cultivation, as at present practised in Cyprus, is of two kinds, which may be described as "dry" and "wet" respectively, and produce different qualities of cotton. The "dry" cultivation is employed chiefly in the Mesaoria and the Karpas; the plants receive one or two waterings, but depend mainly on the winter rain retained in the soil. The "wet" system is confined to a few districts, principally near Kythroea, Dali, and Nissou, where sufficient water can be obtained from springs to allow of periodical waterings which are given about once a fortnight, the water being raised by means of primitive water wheels, or "alacati," resembling the "sakia" of Egypt, in which the water is carried in jugs attached to the rim of a large wooden wheel. The variety sown on the "dry" lands appears to have been derived from a native variety (*Gossypium herbaceum*) improved by cultivation in former times. At the time of the American Civil War, "Orleans" seed was introduced and grew well, especially on irrigated land. It appears that in some districts a hybrid between the American and the native variety has been produced, and also that degeneration of the cultivated cotton has occurred very extensively. It is, in fact, no longer possible in some cases to distinguish with certainty between the cultivated native cotton and the American variety. In many districts the plant is treated as a perennial, and a crop is gathered in the second and sometimes also in the third year.

Varieties.—The short-stapled native variety (*Gossypium herbaceum*) can be grown on non-irrigated lands. American seed has been introduced and has been found to give good results under irrigation.

Production and Export.—The cotton is exported chiefly to Marseilles and Trieste, where short-stapled cotton is in demand, a small quantity only coming to England. Some is employed locally for the manufacture of cloth. The average annual exports during 1899-1903 amounted to 156 tons, of average value £5,364. In the year 1903-4, the estimated production was 148 tons, and the export was 105 tons, valued at £4,151. In the following year, the estimated production was 238 tons, and the export amounted to 75 tons, valued at £3,588. During the year 1905-6, 211 tons, of the value of £8,794, were exported, the great increase being due both to a larger crop and also to a portion of the produce of the preceding year, which had been held back. In the year 1906-7, 717 tons were produced, of which 202 tons of value £9,552 were exported.

Report No. 1. (1905).

Several specimens of cotton, which were collected by Professor Dunstan during his visit to Cyprus in 1904, have been examined at the Imperial Institute. Samples of the so-called "dry" and "wet" native cottons were regarded by commercial experts as similar to East Indian cotton, and were valued at 6¼*d.* and 6⅝*d.* per lb., respectively, when "fine" Broach was quoted at 6⅝*d.* per lb. Specimens of American cotton grown at Dali were of good quality and of value equal to that of "middling" American.

EAST AFRICA.

The Sudan (Three Reports).

Cultivation.—The area under cultivation in 1905 amounted to 23,898 acres, and in 1906 to 21,788 acres. Very extensive areas are available in which both soil and climate are suitable. The cotton is grown, at present, chiefly on non-irrigated land but efforts are being made to introduce irrigation. The development of the industry is hindered by difficulties of transport and by the scarcity and inefficiency of labour, but the former have now been considerably lessened by the completion of the Suakin-Berber Railway. The principal cotton-growing districts are the region between Berber and Khartum and parts of the Sennar and Kassala Provinces. A greatly increased area was planted in 1906 in the White Nile and Blue Nile Provinces. Experiments are in progress at the Government Experimental Farm at Shendi, particularly with the object of ascertaining the best time for planting cotton in the Sudan.

Export.—A large part of the cotton grown in the Sudan is used locally. The exports during 1902 amounted to only 4 cwt., in 1903 to 627 cwt., but in 1904 the amount rose to 14,128 cwt. In 1905, ginned cotton was exported to the value

of £18,905, and cotton seed to the value of £4,998. In 1906, the exports consisted of unginned cotton, £22,336, ginned cotton, £20,112, and cotton seed, £2,834.

Articles on cotton cultivation in the Sudan have been published in the "Bulletin of the Imperial Institute," 1904, Vol. II., pp. 120-121 and 244-249.

Report No. 1. (1904).

The examination, in 1904, of 11 samples, comprising both native and Egyptian varieties, at the Imperial Institute, showed that the Sudan is no doubt well adapted to the growth of Egyptian cotton. The samples had been grown in the following localities:—Damer District, Wad Medani, Merowe District, Shendi, Kodok, and the Public Gardens, Khartoum. The existing native varieties, although of fair quality, were found to be inferior to the Egyptian cottons and it seemed, therefore, that it would be of advantage to cultivate the latter in preference to the indigenous varieties.

Report No. 2 (1905).

Several small samples of cotton and specimens of the plants which furnished them were collected by Mr. Harold Brown, of the Imperial Institute, in the course of his journey through the Bahr-el-Ghazal in 1904-5. The plants were usually found growing wild in small groups near the villages, and they apparently represented the remains of a previous cultivation. On this account the cottons exhibited wild or degenerate characters, and their chief interest lay in the fact that they indicated a possibility of growing cotton as a rain-crop in the Bahr-el-Ghazal.

Report No. 3. (1907).

In February, 1907, a series of 10 samples from Zeidab in the Berber District was examined, which included improved American Upland, Sea Island, Egyptian, and native varieties. The American Upland cottons were of very good quality, and were valued by commercial experts at higher prices than those then current for "middling" American cotton. The Sea Island cotton was somewhat inferior to standard American qualities, and was regarded as worth 12½*d.* to 13*d.* per lb., when "fancy" Florida Sea Island cotton was quoted at 15¼*d.* per lb. The Egyptian varieties were somewhat inferior to standard samples, but were, nevertheless, of fair quality and readily saleable.

EAST AFRICA PROTECTORATE (Eleven Reports).

Cultivation.—Large areas of land in East Africa possess a soil and climate well adapted to cotton cultivation. In the south of the Protectorate, cotton can be grown on non-irrigated land, but in the dry northern districts irrigation is necessary.

During the year ending March 31st, 1905, the area under cotton was estimated at 300 acres. A large increase is contemplated in the immediate future, but the extension of the industry is hampered by lack of transport facilities, there being no direct service from Mombasa to England. The British East Africa Corporation are erecting ginneries at Malindi, Kilindini, Kisumu, and Jinja, each containing six double Macarthy gins and the requisite number of hand-screw presses. Cotton is being grown at present principally in the Seyidie Province, but experiments are being made at various localities in other provinces. The Tana Valley and the Gosha District of Jubaland are stated to offer particularly good prospects. A seed farm, of 100 acres, has been established at Malindi, and has given very favourable results. It was expected that during 1907, about 1,200 acres in the Malindi District would be planted with cotton.

Varieties.—Numerous samples of cotton, including native, Egyptian, American Upland, and Sea Island varieties, have been examined at the Imperial Institute, and it appears from the following reports that, although the native cottons are of fair quality, the Egyptian varieties will probably give the most successful results. A consignment of 18 bales of brown Egyptian cotton, received at the Imperial Institute in 1905, was of promising quality, but was somewhat inferior to the brown cotton of Egypt, owing chiefly to irregularity in colour. The product was sold at $6\frac{1}{8}d.$ per lb., when "fully good fair" brown Egyptian was quoted at $8d.$ per lb. The crop from the Government Farm at Malindi for the season 1904-5, consisting of 36 cwt. of brown Egyptian cotton, was sold in England at prices ranging from $5\frac{1}{4}d.$ to $7\frac{1}{2}d.$ per lb.

Export.—The value of the cotton exported in 1904-5 was £285, but increased in 1905-6 to £1,273. In 1906-7, 102,256 lb. were exported, of value £1,407.

The samples of cotton described in the following summarised reports were forwarded for examination to the Imperial Institute by the Director of Agriculture and Forestry in the East Africa Protectorate.

Report No. 1. (1904).

Seven samples were submitted which, although very small, were sufficient to confirm the view that cotton of good quality could be grown in the East Africa Protectorate. Larger samples were asked for with particulars as to the variety of the cotton, the locality in which it was grown, and the conditions of its cultivation.

Report No. 2. (1905).

Five samples consisting of native and Egyptian varieties were examined. One of the samples of native cotton was harsh and

very short; the ginned product was stated by commercial experts to be of too low a quality to class, but was, perhaps, worth 1*d*. per lb. The other cottons were, on the whole, of promising quality, but showed lack of care in cultivation. Two of these cottons, probably from native plants, were compared by commercial experts with American cotton and were valued at $4\frac{3}{8}d$. to $4\frac{1}{2}d$. per lb., with "middling" American at $4\frac{1}{4}d$. per lb. The two remaining samples were of Egyptian character, and were regarded as worth 3*d*. and 5*d*. per lb., respectively, with "fully good fair" brown Egyptian at $6\frac{1}{8}d$. per lb.

It was recommended that more care should be employed, particularly in the selection of seed for sowing and in the harvesting of the cotton.

Report No. 3. (1905).

Five samples were examined, of which one was of the Sea Island variety, whilst the remaining four possessed many of the characteristics of the cotton of Upper Egypt. The latter samples were, on the whole, of good quality and value, their chief defect being a certain irregularity in colour and in length of staple. It was pointed out that the cottons could no doubt be improved in these respects by the exercise of greater care in cultivation. The Sea Island cotton was much inferior to a standard American Sea Island, but owing to the immature condition in which the sample had been picked, it was not possible to make a satisfactory comparison.

The Sea Island cotton was valued at 8*d*. to $8\frac{1}{2}d$. per lb. (with "fancy" Florida Sea Island at 12*d*. per lb.). The Egyptian cottons were regarded as worth from $5\frac{3}{4}d$. to $7\frac{1}{2}d$. per lb. (with "fully good fair" brown Egyptian at $7\frac{1}{2}d$. per lb. and "fully good fair" Upper Egyptian at $6\frac{3}{16}d$. per lb.).

Report No. 4. (1905).

A sample of American cotton from Muhoroni was of very good staple, and appeared to have been grown from the seed of one of the improved types of Upland cottons. There is no doubt that if cotton of this quality could be grown in large quantities it would meet with a ready sale at a good price, and would probably prove very remunerative. Commercial experts valued the product at $7\frac{1}{2}d$. per lb., when "middling" American was quoted at $5\frac{1}{2}d$. per lb.

Report No. 5. (1905).

A consignment of 18 bales of cotton, grown by natives chiefly in the Lake District, was received at the Imperial Institute in 1905. The cotton was of a brown Egyptian type, but was inferior to a standard brown Egyptian cotton owing to its irregularity of colour. The consignment was sold at $6\frac{1}{8}d$. per lb., when "fully good fair" brown Egyptian was quoted at 8*d*. per lb.

Report No. 6 (1905).

A sample of cotton grown at Golbanti, Tana River, from Sea Island seed sown in August, 1904, was found to be of unsatisfactory quality on account of its poor strength, irregular length, and stained condition. It was valued by experts at about 6¼*d.* to 6½*d.* per lb., "fine" Sea Island cotton being quoted at 14*d.* per lb. on the same date. It was pointed out that, although the price quoted for the sample was fairly good as compared with that of an ordinary American Upland cotton, it must be borne in mind that Sea Island cotton gives a smaller yield per acre, and would therefore be less remunerative unless a higher price was obtained for it.

Report No. 7. (1906).

A sample of cotton grown by the natives in the Voi District, at an elevation of about 2,500 feet, was evidently grown from Egyptian seed, but was inferior to the cotton of Egypt in colour, fineness, and softness. The value of the cotton was further diminished by the presence of stains and also by fragments of leaves. It was suggested that greater care in cultivation would probably cause an improvement in the cotton, whilst the exclusion of the leaf could be effected by more careful harvesting. The material was regarded as worth about 5¼*d.* per lb., when "fully good fair" brown Egyptian was quoted at $8\frac{7}{16}d.$ per lb.

Report No. 8. (1906).

The samples consisted of an American cotton and an Egyptian Mitafifi grown on the Tana alluvial soil, and also a specimen of the latter variety grown on the high red soil of the Tana Valley at Golbanti. The American cotton was somewhat deficient in strength, bore occasional stains, and was valued at about 5½*d.* per lb., when "middling" American was quoted at 6·07*d.* per lb. The Egyptian cottons were of fair quality, but short staple and somewhat lacking in lustre. They were regarded as worth about 6*d.* and 5½*d.* per lb., respectively, "fully good fair" brown Egyptian being quoted at $8\frac{7}{16}d.$ per lb. on the same date. The cotton grown on the alluvial soil was superior to that grown on the high red soil at Golbanti. It was pointed out that insufficient care had been taken in ginning the samples, as many crushed seeds were present which would tend to stain the cotton.

Report No. 9. (1906).

A specimen of Sea Island cotton and four samples of Egyptian cotton grown at Malindi were examined. The Sea Island cotton was of fair quality but of irregular length, and was valued at about 9*d.* per lb., "fancy" Georgia Sea Island being quoted at 10½*d.* per lb. on the same date. It was mentioned that further experiments would be necessary before it

could be definitely established that Sea Island cotton could be grown satisfactorily in British East Africa, as this crop so readily suffers deterioration under adverse climatic conditions.

The four samples of Egyptian cotton were generally of fair quality, but were not equal to a standard sample of "Mitafifi" cotton with which they were compared. The colour was uneven in every case, and the fibre showed a tendency to become white. The samples were regarded by commercial experts as worth from 5*d.* to 6*d.* per lb., when "fully good fair" brown Egyptian was quoted at $8\frac{7}{16}d.$ per lb. Many of the seeds were withered, and showed signs of the attack of insect pests. A number of insects bearing a strong resemblance to the "cotton stainer" (*Oxycarenus hyalinipennis*) were found dead in the samples. Several small reddish grubs, about 0·25 inch long, were present alive in the seeds, upon which they were apparently feeding. Attention was directed to the importance of studying the insect pests of British East Africa, and the best means of combating them.

Two of the samples (Nos. 4 and 5) were somewhat inferior to the others (Nos. 2 and 3) in lustre and colour, but resembled them in other respects. It is interesting to note that these cottons, although of the second year's growth, were nevertheless of fair quality and but little inferior to those of the first season. It was pointed out, however, that if the yields are much smaller, the plan of collecting a second year's crop would, of course, be inadvisable.

It was again stated that in order that Egyptian cotton might be grown in British East Africa of a quality equal to that of the cotton grown in Egypt, great care would be required in the purchase and selection of seed for sowing, and in the general cultivation and harvesting.

Report No. 10. (1906).

Three samples were examined, one of which was a Sea Island cotton grown at Mazeras Farm. The cotton bore brown and yellow stains and was of poor strength; for these reasons it was only regarded as worth about 9*d.* per lb., when "fancy" Florida Sea Island was quoted at 12·5*d.* per lb.

The other samples consisted of Egyptian cotton from Makindu; one of these was from the first year's crop, whilst the other was gathered from plants of the second year's growth. The former sample was unsatisfactory both in colour and strength, and was valued at about 6*d.* per lb., and would probably not be readily saleable. The cotton from the second year's growth was of somewhat better colour, stronger and more mature, but was still much inferior to a standard sample of "Mitafifi" with which it was compared. It was regarded as worth about $6\frac{1}{4}d.$ per lb. It was pointed out that the quality and value of this Egyptian cotton could be much improved by greater care in cultivation and ginning. On the date of the

above valuations, "fully good fair" brown Egyptian cotton was quoted at $9\frac{5}{8}d.$ per lb.

Report No. 11. (1906).

A sample of American cotton grown by German missionaries in Ngao on the Tana River, which had been sown in April and harvested in November, was of very good quality and equal in value to ordinary "middling" American cotton. The product showed slight defects, such as the presence of a small proportion of stained cotton and fragments of leaves and capsules, but these could readily be obviated by greater care in cultivation and picking.

UGANDA (Four Reports).

Cultivation.—Cotton grows satisfactorily in Uganda, and large areas of the Protectorate are well suited to the cultivation. Seed has been distributed to the natives who take readily to the cultivation. Efforts have been made to instruct the natives in growing and gathering the crop, and the Government have supplied four hand gins for their use. The Uganda Company have now established ginning centres and have obtained very promising results, which indicate that cotton-growing will probably become an important industry. The British East Africa Corporation and other Companies are also taking an interest in the matter.

Varieties.—An indigenous cotton is grown which is said to be of good quality and similar to semi-rough Peruvian. Experiments have been made with Egyptian "Ashmouni," "Abassi," and "Mitafifi," American Upland, and "Black" Peruvian varieties. It is considered that the improved American Upland cotton gives the best results. A sample of Egyptian "Abassi" has been examined at the Imperial Institute and found to be of long staple and promising quality (*see* below).

Export.—In 1903-4 the value of cotton exported amounted to only £6, but in 1905 the exports were 21,566 lbs., of the value of £236. During 1905-6, 96,000 lbs. were exported, of value, £1,089, and in 1906-7, the exports increased to 391,244 lb., of value £11,411.

Report No. 1. (1906).

A sample of ginned Egyptian "Abassi" cotton grown in the Botanic Gardens, Entebbe, was forwarded by His Majesty's Commissioner in Uganda. The presence of unripe cotton and of stained portions was noticed, which defects would decrease the commercial value of the product. In other respects, however, the sample was of fairly good quality and of long staple, but rather coarser than good "Abassi" cotton grown in Egypt. It was valued at $7\frac{1}{2}d.$ to $7\frac{3}{4}d.$ per lb., with "good" Egyptian "Abassi" at $9\frac{1}{2}d.$ per lb. It was pointed out that it would be worth while to devote considerable care to the cultivation and improvement of this type of cotton, which is in good demand, and when well grown is of excellent value.

Report No. 2. (1907).

Two samples of Caravonica cotton, one unginned and the other ginned, were forwarded from the Botanical and Scientific Department, Entebbe, Uganda. The cotton was of very good colour and of satisfactory quality, though rather uneven in length. It was somewhat rougher than Egyptian "Abassi" cotton, but might have similar commercial applications. The ginned cotton was valued at 9½*d.* to 10*d.* per lb., with "good" Abassi at 14½*d.* per lb., and "middling" American at 6·18*d.* per lb.

Report No. 3. (1907).

Two samples of Caravonica cotton of the so-called "Silk" variety, one ginned and the other unginned, were forwarded to the Imperial Institute from the Botanical and Scientific Department, Entebbe. The cotton was rather uneven in length, but of very good colour and satisfactory quality. It was rather rougher than Egyptian Abassi cotton, but would have similar commercial applications, and was valued at 9½*d.* to 10*d.* per lb., with "good" Abassi at 14½*d.* per lb., and "middling" American at 6·18*d.* per lb.

Report No. 4. (1907).

A sample of ginned cotton, apparently of an improved American variety, and grown in the Chiope District, was received at the Imperial Institute from the Botanical and Scientific Department, Entebbe. It was found to be rather harsh and woolly, fairly lustrous, of a very even cream colour, and free from stains. It was valued at about 8*d.* per lb., when "middling" American was quoted at 7·40*d.* per lb., and was of a readily saleable quality.

NYASALAND PROTECTORATE (Two Reports).

Cultivation.—Soil and climate are suitable, and the area under cultivation is extending rapidly. During the year ending March 31st, 1903, 380 acres were planted; in the following year the area increased to 8,000 acres. In 1904-5, 21,900 acres were brought under cultivation, and it is anticipated that during the present season 40,000 acres will be planted. The British Cotton Growing Association are taking an active part in promoting the cultivation of cotton in the Protectorate, and, at their request, an expert, who has had considerable experience of cotton cultivation in Egypt, was sent out by the Colonial Office early in 1905 to render advice and assistance to planters. Cotton is being planted by several companies, including the African Lakes Corporation, the British Central Africa Company, the Oceana Consolidated Company, Limited, and the Blantyre and East Africa Company, Limited. Considerable difficulty is experienced in obtaining suitable labour. An effort is being made, however, to create

a native industry, and the natives are taking to the cultivation, especially in the Upper Shire District. The lack of good transport facilities offers another obstacle to the extension of cotton growing, but a great improvement will be effected when the railway from Chiromo to Blantyre is completed.

Varieties.—Egyptian varieties have yielded the best results at low altitudes, but native and American cottons also have been grown to some extent, and American cotton promises to succeed well on high land. Samples of Egyptian cotton have been examined at the Imperial Institute and have been found to be of excellent quality. These cottons have realised prices of 7*d.* to 9*d.* per lb. The sample described in Report No. 1, however, was not very well grown, and was much inferior to samples which have been received more recently.

Export.—During the year ending March 31st, 1903, the cotton exported amounted only to 692 lb., of value, £3, but in 1903-4 the quantity rose to 56,886 lb., of value, £1,778, and during 1904-5 the exports were 285,185 lb., of value, £5,941, and in 1905-6, 776,621 lb., of value, £16,180. A slight decrease took place in 1906-7, when 526,119 lb. were exported, of value, £15,345.

Report No. 1. (1904).

This sample, grown in the vicinity of Zomba, was forwarded by the Nyasaland Scientific Department. It was rather harsh, of fair length, but somewhat stained, and contained some seed, and was said to be worth about 5*d.* per lb., if properly cleaned and free from seed.

Report No. 2. (1907).

This report deals with the examination of 39 samples of cotton forwarded to the Imperial Institute by the Head of the Scientific Department at Zomba.

It was stated that six of the samples had been grown from American seed, 22 from Egyptian seed, one from Sea Island seed, and the varieties of the remaining 10 samples were not stated, but they had been apparently grown from Egyptian seed.

Twenty-two of the samples had been ginned, and 17 were unginned.

From the detailed results of the examination of this collection of cottons from Nyasaland, it was seen that, although there was considerable variation in the samples, many of the cottons were of excellent quality, and would certainly well repay cultivation. It was, however, impossible to select any one variety as being the most promising for general cultivation in the Protectorate, as samples of the same variety of cotton grown in different localities exhibited wide differences in quality. The chief defect was the uneven colour of many of the samples, and it was noted that in almost all cases this was evidently due to the presence of insect pests in the cotton. In

addition to staining the fibre, insect pests in many cases had attacked the seeds and rendered them useless for sowing. Insects, of the genus *Oxycarenus*, were found in some of the samples.

Although the cotton, in some cases, was of somewhat inferior quality, yet it was evident that with greater care in cultivation, picking, and ginning, and the adoption of preventive measures against the attacks of insect pests, cotton of a good marketable quality could be grown in Nyasaland.

SOUTH AFRICA.

Rhodesia (Three Reports).

Cultivation.—The soil and climate are on the whole well suited to cotton growing, and the cultivation is likely to prove very successful. Attempts are being made to persuade both agriculturists and natives to plant cotton. Some difficulty has been experienced with regard to the labour supply, but it is thought that if the natives themselves will take up the cultivation this difficulty will disappear since a native planter can always obtain assistance from neighbouring kraals. Many localities possess good facilities for transport. The British Cotton Growing Association are associating themselves with the British South Africa Company and the Rhodesian Cotton Syndicate in attempting to establish the industry on a firm basis. Cotton is now being grown on an extensive scale in North-Eastern Rhodesia.

Varieties.—A large number of samples of cotton of native, Egyptian, and American varieties have been examined at the Imperial Institute, and some of these are described in the following reports.

An interesting series of specimens was lent by the British South Africa Company for the Cotton Exhibition held at the Imperial Institute in 1905. The best results seem to be obtained with Egyptian varieties which, in some cases, have yielded cotton of excellent quality. A consignment of 56 bales from North-Eastern Rhodesia, which was received in Liverpool in January, 1906, was very favourably reported on, and was valued at 7½*d.* to 7¾*d.* per lb., whilst a further consignment, which arrived in April, realised from 8*d.* to 9*d.* per lb. (An article on "Cotton-Growing in Rhodesia" has been published in the "Bulletin of the Imperial Institute," 1905, Vol. III., pages 247-249.)

Report No. 1. (1903).

Two samples of unginned cotton were forwarded by the Agricultural Department at Salisbury and transmitted to the Imperial Institute by the British South Africa Company. The samples consisted of silky cotton, which was strong, of good

length, but somewhat stained, and worth about 5½*d.* per lb. The commercial experts stated that if the cottons were clean and free from stains, they would be worth 6*d.* to 6½*d.* per lb.

Report No. 2. (1904).

A sample of wild cotton from North-Eastern Rhodesia was forwarded by the British South Africa Company. It was unginned, of fair quality, but somewhat stained. The cotton, when ginned, was regarded as worth about 4½*d.* per lb.

Report No. 3. (1904).

Four samples of cotton were transmitted to the Imperial Institute by the British South Africa Company, to whom they had been forwarded by the Administrator of North-Eastern Rhodesia. The samples were of fair length and of good quality; they were of Egyptian character, were valued by brokers at from 7⅜*d.* to 8½*d.* per lb., and would be readily saleable.

TRANSVAAL (Eleven Reports).

Cultivation.—Cotton can be grown in the low veld and parts of the middle veld, but the climate of the high veld is generally unfavourable. The average Transvaal season is admirably adapted to cotton cultivation, since the rainy period (December to April) is, as a rule, of sufficient duration for the growth and development of the plant, whilst the crop can be gathered in the dry season, which extends from May to August.

The most suitable areas are the eastern foothills of the Drakensberg, the Zoutpansberg, Lydenburg, Barberton, and Port Retief Districts, and Swaziland. Although the supply of labour in many parts of the Transvaal is very limited, yet in the region best suited to cotton cultivation there is a fairly good supply of native labour, especially in the proximity of the Kaffir locations. In the case of the Zoutpansberg District, where the best samples have been produced, the cost of transport is considerable, but it is hoped that before long it will be much reduced by the construction of a railway connecting the cotton areas with Pietersburg. The Barberton District, the southern portion of the Lydenburg District, and parts of Swaziland have much better transport facilities. Assistance has been rendered by the British Cotton Growing Association, and a power-gin has been established at the Government Estate at Tzaneen, in the Zoutpansberg District.

Varieties.—Certain varieties of cotton grow wild in the Transvaal, but these are generally of inferior quality. Experiments are being made to improve some of these native cottons and also to test the cultivation of exotic varieties. A large number of samples of cotton, including native, American Upland,

Egyptian, Brazilian, and Sea Island varieties, have been examined at the Imperial Institute, and are described in the following reports, from which it is evident that the best results have been obtained with improved types of American Upland cotton, excellent specimens of which have been received, especially from the Zoutpansberg and Waterberg Districts, many of them being valued at ½*d.* to 1½*d.* per lb. in advance of "middling" American cotton.

Report No. 1. (1904).

A sample of unginned cotton, grown at Malelane, Eastern Transvaal, was forwarded by the Director of the Department of Agriculture, who stated that the cotton was not indigenous but grew wild in several of the warmer parts of the Colony. The sample was nearly white, short, harsh, and worth 5*d.* per lb. (ginned).

Report No. 2. (1904).

Three samples of unginned cotton, grown by the Basutos in the Zoutpansberg District, were forwarded by the Director of the Department of Agriculture. The samples were of good quality, and were valued at from 6·25*d.* to 6·6*d.* per lb. It was stated that the cottons could be considerably improved by careful cultivation.

Report No. 3. (1904).

A sample of "wild cotton" was received from the Transvaal, but on examination, the characters of both the fibre and the seed were found to be widely different from those of ordinary cotton. The specimen, which was evidently not derived from the true cotton plant (*Gossypium species*), was identified at Kew as the product of *Ipomoea albivenia*, G. Don. It was reported that the material would be of little value for spinning purposes, but might possibly find an application as a filling material in upholstery.

Report No. 4. (1904).

A sample of unginned wild cotton was examined and found to be of fair quality. Brokers reported the fibre to be of a character similar to that of rough Peruvian cotton, and to be worth 5·70*d.* per lb. (ginned), "middling" American cotton being quoted at 5·30*d.* per lb. on the same date.

Report No. 5. (1904).

A sample of ginned cotton grown by Mr. van Reiche, on the eastern slope of the Woodbush Mountain, Zoutpansberg District, and forwarded by the Director of the Department of Agriculture, was found to be of excellent quality, possessing a staple long and strong though lacking in silkiness. It was valued at about 7½*d.* per lb., with "middling" American cotton at 5·30*d.* per lb.

Report No. 6. (1905).

Four samples of ginned native cotton, forwarded by the Director of the Department of Agriculture, were found to possess an irregular staple but, otherwise, to be of fair quality. Brokers stated the samples to be worth from 3¾*d.* to 5*d.* per lb., with "middling" American at 5·3*d.* per lb. More careful methods of cultivation and seed selection were recommended, by which means the value of the cotton would be enhanced.

Report No. 7. (1905).

Nine samples of unginned American "Upland" cotton, grown on the Springbok Flats, Waterberg District, and forwarded by the Director of the Department of Agriculture, were found to be of excellent quality, their lustre and length of staple being in most cases about the average of cottons of the same class grown on American soil. Slight stains, however, were observed in some of the samples, and in some cases a considerable proportion of short fibres was present. The experts regarded the cottons as readily saleable, and valued them at from 4·85*d.* to 5·50*d.* per lb., when "middling" American was quoted at 5·05*d.* per lb.

Report No. 8. (1906).

Twenty-six samples of unginned cotton, grown in the Zoutpansberg District, were forwarded by the Director of Agriculture. Of these samples, 20 were of improved American Upland types, four were Egyptian varieties, and the remaining two, Sea Island.

The American Upland varieties were the most satisfactory, and were in most cases of excellent quality, being of good length and colour, and giving a high yield on ginning. Some of the samples contained a small quantity of immature fibre. They were valued at prices varying from 5·75*d.* to 8·25*d.* per lb., with "middling" American at 6·08*d.* per lb.

The samples grown from Egyptian seed were all brown cottons, resembling the "Mitafifi" variety. Although not quite equal to a standard sample of Egyptian "Mitafifi" cotton, with which they were compared, they were well grown and of good quality and strength. Commercial experts valued them at from 7¾*d.* to 8¼*d.* per lb., with "good" brown Egyptian at 8½*d.* per lb.

The samples of Sea Island cotton were of good length but contained much weak, unripe fibre, and it was recommended that the cotton should be allowed to become fully mature before being gathered. The samples were regarded as worth 9*d.* per lb., with "fancy" Georgia Sea Island at 10½*d.* per lb.

Report No. 9. (1906).

Four samples of unginned cotton, grown in the Mawelawela Experimental Plantation of the Swaziland Corporation, were forwarded by the Acting Director of the Department of Agriculture, and were stated to consist of the residue left on the bushes after the first picking, the samples of the latter, intended for test purposes, having been destroyed by fire. The chief defects noticeable in the cotton were irregularity in the length and strength of the staple, largely, if not entirely, due to the presence of immature cotton, which would itself probably be accounted for by the fact that the samples consisted of the last pickings, and may not have been completely developed or matured. Such being the case, the results obtained were stated to be very encouraging, and to indicate that the best portions of the crops would probably be of excellent quality. Further efforts were therefore recommended.

The samples, which were of different varieties, were valued by commercial experts. Sample No. 1, which consisted of Brazilian cotton, was stated to be worth 6*d.* per lb., with "middling" American at 5·91*d.* per lb., and Brazilian "fair Perman" at 6·09*d.* per lb. Sample No. 2 was found to be a mixture of a pale brown cotton resembling "Mitafifi" and a white cotton similar to an American Upland or a Brazilian cotton. The former was valued at 7*d.* to 7¼*d.* per lb. (with "fully good fair" brown Egyptian at 8⅞*d.* per lb.), and the latter at 5½*d.* to 5¾*d.* per lb. (with "middling" American at 5·91*d.* per lb.). Samples 3 and 4, apparently grown from brown Egyptian seed, were valued at 7*d.* per lb. (with "fully good fair" brown Egyptian at 8⅞*d.* per lb.).

With reference to Sample No. 2, which consisted of a mixture of two distinct kinds of cotton, it was pointed out that care should be taken in the selection of seed for sowing, and especially in ensuring that the seed was not of a mixed character.

Report No. 10. (1906).

A sample of "Bohemian" cotton, from the Zoutpansberg District, was found on examination to be of excellent quality, possessing a good staple and an even colour. It was valued at 7*d.* per lb., with "middling" American at 6·04*d.* per lb.

Report No. 11. (1907).

Twenty-eight samples of ginned cotton of different varieties were forwarded by the Director of the Department of Agriculture. Fifteen of the samples consisted of ratooned cottons, the most striking defect observable in which was the presence of stained, immature, and withered fibres. If ratooned cotton should be chosen for cultivation in the Transvaal, it was recommended that the cotton should be carefully and thoroughly

sorted before ginning, by which means the stained and immature fibres could be excluded. The results of examination, however, showed that it was preferable in the Transvaal to grow the cotton annually from new plants. The remaining 13 samples had been grown on irrigated land. These were found to be somewhat stained and of uneven strength. The stains had probably been caused by an insect pest.

The American varieties were the most promising, and were regarded by experts as worth from 5*d.* to 7·75*d.* per lb., with "middling" American at 5·66*d.* per lb.

With reference to the Sea Island cottons, it was pointed out that no samples of this variety grown in the Transvaal have been submitted which were equal to typical samples from America or the West Indies, and that this species of cotton is seldom profitable when grown more than 50 miles from the coast. The present samples of Sea Island were valued at 9*d.* to 12*d.* per lb., with "Fancy" Florida Sea Island at 13*d.* per lb.

The Egyptian cottons were not very promising, and were inferior to samples previously received from the Transvaal. The two samples of "Mitafifi" were valued at 5·5*d.* per lb. (with "fully good fair" brown Egyptian at 9½*d.* per lb.), the sample of "Abassi" at 10*d.* per lb. (with "good Abassi" at 10⅜*d.* per lb.), and the sample of "Yannovitch" at 10*d.* per lb. (with "fully good fair Yannovitch" at 11*d.* per lb.).

The sample of Indian cotton was valued at 3·8*d* to 4*d.* per lb., with "fine" Bengal at 3⅞*d.* per lb., but owing to the comparatively low commercial value of this type of cotton and also to the evident suitability of the climate and soil of the Transvaal for the production of the more valuable varieties, its cultivation was not recommended.

Orange River Colony (One Report).

Experiments to test the suitability of the Orange River Colony for cotton cultivation were carried out during 1905-6. A quantity of American and Egyptian cotton seed was supplied by the British Cotton Growing Association and was distributed among the farmers throughout the Colony. Unfortunately, the seed arrived rather late, and, in many places, as a result of late sowing, the young plants were injured by frost. Although the rainfall during the early stages of the plant's growth is very small in the Orange River Colony, yet these experiments were, on the whole, sufficiently encouraging to warrant further trials.

Report No. 1. (1907).

A sample of unginned improved American Upland cotton, received from the Colonial Secretary, Orange River Colony, was found to be very soft, of excellent lustre, of even pale cream colour, and generally free from stains. A quantity of

immature fibre, however, was present, by which the cotton would be rendered wasteful in the processes of manufacture, and greater care in picking was therefore recommended. The sample was valued at 5¾*d.* to 6½*d.* per lb. (with "middling" American at 6·18*d.* per lb.).

Natal (Two Reports).

Cultivation.—Cotton growing in Natal is at present in the experimental stage, and the Government are offering land in Zululand on nominal terms for experimental planting. Planting is being carried on by a syndicate of Natal farmers as well as by individuals.

Varieties.—A variety of "kidney cotton," *Gossypium brasiliense*, has been grown with good results. It appears from the following report (No. 1) on two samples of the cotton which have been examined at the Imperial Institute that this variety is well worth cultivation. Experiments are being made with Egyptian, American, and other varieties of cotton, and appear likely to prove successful.

Production.—In 1906, the amount of cotton produced amounted to 19,865 lb., of which 17,620 lb. were exported, of value, £540.

Report No. 1. (1904).

Two samples of unginned cotton, grown at Hillarys, Natal, were received at the Imperial Institute from the Agent-General for Natal. These proved on examination to be of good quality, and would repay cultivation. The cottons were of Brazilian or Peruvian type and were valued at 5·80*d.* and 5·90*d.* per lb., respectively (with "middling" American at 5·30*d.* per lb.).

Report No. 2. (1907).

Twenty-eight samples of cotton were forwarded to the Imperial Institute from Natal by Mr. T. R. Sim. Of these, 24 were grown at the Winkle Spruit Experimental Farm, three at Mount Vernon Estate, and one at Weenen.

The samples grown at Winkle Spruit consisted of 13 improved American varieties, eight Egyptian varieties, and three Sea Island varieties. Of the three samples grown at the Mount Vernon Estate, two were of the Sea Island, and one of the "Kidney" variety. The one sample grown at Weenen was an improved American Upland cotton.

On being compared with standard commercial specimens of the same varieties, it was found that in most cases they were of inferior quality, especially those grown at Winkle Spruit Experimental Farm.

The improved American and "Kidney" varieties appeared to be the most promising, and it was stated that with greater care in cultivation these could probably be grown with a considerable measure of success in Natal.

The most striking defect observable in the samples was the presence of stained, immature, and withered cotton. The adoption of improved methods of cultivation and harvesting as well as preventative measures against the ravages of insect pests were especially recommended.

Of the samples which had been grown at the Winkle Spruit Experimental Farm, the Egyptian varieties were valued at from 6*d.* to 6·80*d.* per lb., and one, probably Egyptian, at from 7*d.* to 7½*d.* per lb.; the improved American varieties were valued at from 5½*d.* to 9½*d.* per lb., and the Sea Island at from 9½*d.* to 11*d.* per lb. Two samples of Sea Island grown at the Mount Vernon Estate were valued at 9*d.* and 15*d.* per lb. respectively. The "Kidney" variety was valued at 9*d.* per lb. The improved American Upland cotton grown at Weenen was valued at 11*d.* per lb.

The current value of "fully good fair" Brown Egyptian was $10\frac{5}{16}d.$ per lb., of "middling" American 7·40*d.* per lb., of "fancy" Florida Sea Island 19¼*d.* per lb., and of "good fair" moderately Rough Peruvian at 9·5*d.* per lb.

Cape Colony (One Report).

Experiments have been carried out in various parts of Cape Colony, seed for the purpose having been supplied by the British Cotton Growing Association, and efforts are being made to induce farmers to attempt the cultivation on a commercial scale. In 1905, the Agricultural Department planted about 32 acres of land on the "Cape Flats" within a few miles of Cape Town. The plants experienced an unfavourable growing season but nevertheless, on the whole, successful results were obtained. Encouraging results have also been obtained in the vicinity of Swellendam; a considerable area has been planted near the Buffejagts River in addition to several smaller patches in other parts of the district.

Report No. 1. (1907).

Two samples of cotton were received from the Agricultural Assistant, Cape Town. The first sample, which was grown in Griqualand West, consisted of a mixture of Sea Island and brown Egyptian cottons. Both varieties were of satisfactory quality, but it was stated that when mixed they would not be of very good commercial value, chiefly on account of the difference in length of staple. The material was valued at about 9½*d.* per lb. with "fully good fair" Brown Egyptian at $10\frac{5}{16}d.$ per lb.

The second sample, grown at Port Elizabeth, consisted of Sea Island cotton, which was of promising quality, and was valued at about 12*d.* per lb. (with "fancy" Florida Sea Island at 18¼*d.* per lb.).

WEST AFRICA.

Cultivation.—In addition to native cultivation, plantations have been established by the British Cotton Growing Association in Sierra Leone, the Gold Coast, Lagos, and Southern Nigeria. Cotton is also being grown in the various Provinces of Northern Nigeria. The soil and climate of West Africa are suitable, and the natives are already acquainted with cotton cultivation, which has long been carried on by them in a primitive manner. Good cotton has been obtained from the Lagos Hinterland, and in Northern Nigeria where there is a large area under cultivation, but the immediate development of the industry on an extensive scale is impeded by the want of transport facilities. Much experimental work will require to be conducted throughout West Africa with a view to the improvement of the native varieties. The labour problem will need careful consideration, as in many parts of the country the natives are content to rely on the produce of the oil-palm and are unwilling to turn their attention to other industries.

Varieties.—The native-grown cotton exported from West Africa is of fair length and, in general, somewhat resembles rough Peruvian cotton, for which there is only a limited demand. There are, however, a number of native varieties of good quality which could no doubt be improved by careful cultivation, and recent experiments have shown that in some districts Egyptian and American varieties may succeed.

Export.—During the year 1903, 303,000 lb. of cotton were exported, of total value of £7,315. In 1904 the total export increased to 1,581,540 lb., of the approximate value of £19,000, and in 1905 to 1,601,600 lb., worth about £29,000.

Gambia (Two Reports).

Cultivation.—An attempt was made by the British Cotton Growing Association in co-operation with the Government to encourage cotton growing in the Gambia. It was found, however, that the natives will not take up the cultivation as they find the ground-nut industry more profitable, and the effort has therefore been abandoned.

Varieties.—Samples of native and American cotton grown in the Gambia have been examined at the Imperial Institute, and have been found to be of satisfactory quality (*vide* Reports).

Export.—The exports of cotton amounted to 96 lb. in 1902, 1,011 lb. in 1903, and 59,828 lb. in 1904. The large increase in 1904 was mainly due to the fact that a high price was paid for the cotton in order to stimulate the industry, and, in consequence, considerable quantities were brought across from French territory. In 1905, the amount exported was only 2,572 lb., of value £60, whilst in 1906 the trade ceased altogether.

Report No. 1. (1905).

The samples of unginned cotton from the Gambia were forwarded to the Imperial Institute in 1905 by the British Cotton Growing Association at the request of the Governor. One sample, which consisted of American cotton, was white with occasional yellow stains and of fair quality, but inferior to a specimen of American cotton with which it was compared. The second sample, which was of native growth, was also of fair quality, but capable of improvement by careful cultivation.

Report No. 2. (1907).

A sample of unginned native cotton was forwarded by the Colonial Secretary, Gambia, at the request of the Superintendent of Agriculture for the British West African Colonies and Protectorates. This was found to be soft, fairly lustrous, and of a pale cream colour, but to contain rather a large proportion of brown and yellow stains. The cotton was valued at 7*d.* per lb. with "middling" American at 7·40*d.* per lb., but it was stated that if means were adopted to prevent the ravages of insect pests, which had caused the stains, it would be of much better value and might have commercial applications similar to those of American cotton grown from improved seed.

SIERRA LEONE (Two Reports).

Cultivation.—Efforts have been made by the British Cotton Growing Association to persuade the natives to plant cotton more extensively. Experiments were carried out with the object of ascertaining the best time for planting and the varieties of cotton best suited to local conditions, and an experimental plantation and a ginning factory were established at Moyamba. Unfortunately, however, the results were somewhat disappointing, and the Association have therefore discontinued the work in this Colony. The Moyamba plantation has been abandoned.

Varieties.—Three varieties of indigenous cotton have been examined at the Imperial Institute, of which the "Quandi" is the most valuable (*vide* page 28).

This is a white cotton about 1 inch in length, which would be useful as a substitute for ordinary American cotton. Experiments have been carried out in Sierra Leone with a view to the improvement of this variety. Trials have also been made with American and Egyptian cotton.

Export.—The exports of cotton from Sierra Leone amounted to 1,120 lb., of value £20, in 1903; but in the following year increased to 28,267 lb., of value £378, and in 1905 to about 68,800 lbs., of value £509. In 1906, 87,800 lbs. were exported of value £1,829.

Report No. 1. (1905).

Three samples of native cotton in both the ginned and unginned condition, were received from Sierra Leone in 1905, the native name of the varieties being "Quandi," "Fandiwah," and "Dooli." All the cottons were well grown and of healthy appearance, though the "Quandi" showed signs of the attack of some insect pest. It was stated that the "Dooli" variety would be of little commercial value in this country as there was no demand for khaki-coloured cotton. The "Quandi" was nearly white, of very good quality for a native cotton, and probably capable of much improvement by cultivation. The "Fandiwah" cotton was of darker colour than the "Quandi" and was also of promising quality.

Report No. 2. (1907).

Two samples of unginned "Quandi" cotton were forwarded by the British Cotton Growing Association from Sierra Leone. One sample approached in type to an Indian cotton, but careful picking to exclude the stained portions that were noticed was recommended. The second sample was of much more even colour and better quality, and compared favourably with a very good quality of Indian Broach. The samples were valued at about 5⅜*d.* and 5¼*d.* per lb. respectively, with "good" Broach at 5⅜*d.* per lb., and "middling" American at 6·18*d.* per lb.

GOLD COAST (Five Reports).

Cultivation.—Experiments are being carried out by the Government in conjunction with the British Cotton Growing Association. In a recent report, it is stated that in some districts the natives are gradually taking to cotton growing, and that during the present season more than 2,000 acres have been planted in the Labolabo District. An experimental farm of 200 acres has been established at Labolabo within a very short distance of the Volta River, and a ginnery containing three 70 saw gins has been erected in the same locality.

Varieties.—The native (Volta) cotton is of a promising type. American varieties are grown, and samples which have been examined at the Imperial Institute have been found to be of promising quality (*vide* following Reports).

Export.—In 1903, the exports amounted to 10,443 lbs., of value £171; whilst in 1904 they increased to 57,661 lbs., of value £434. In 1905 about 29,200 lbs. were exported, of value £516, and in 1906, 92,886 lbs., of value £1,022.

Report No 1. (1905).

In 1905, four samples of cotton were received for examination from the Governor of the Gold Coast. No. 1 appeared to

have been grown from selected American seed, and was of promising quality. Nos. 2 and 3 were probably of similar commercial value to a standard sample of the cotton of Upper Egypt. No. 4 was a native cotton of very irregular length, and contained some very short fibre which would render it wasteful in the processes of manufacture.

Report No. 2. (1905).

A sample of unginned cotton, probably a native variety, was received from the Acting Commissioner, Southern District of Ashanti, and was found to be of fair colour, but very short, with a large proportion of immature fibre. The cotton was, however, of promising quality, and such as would probably by careful cultivation be made to realise a good price. The sample was valued at about $4\frac{1}{2}d.$ per lb., with "middling" American cotton at $5\frac{3}{4}d.$ per lb.

Report No. 3. (1905).

In 1905, four samples of cotton, of which three were in both the ginned and unginned condition, were forwarded by the Governor of the Gold Coast. Sample No. 1 grown at Labolabo Farm, was of American type and of very promising quality. Samples Nos. 2 and 3 were of Egyptian character and of similar quality to the cotton grown in Upper Egypt. Sample No. 4 apparently consisted of a native cotton, was nearly white, of irregular length and slightly stained.

Report No. 4. (1906).

Nine small samples of cotton were forwarded in 1906 by the Superintendent of Agriculture for the British West African Colonies and Protectorates, of which four were of native varieties, four of American Upland varieties, and one of a hybrid between native and American Upland forms. With the exception of one which was from Sittam, all these cottons were grown at the Labolabo Farm. The American varieties were generally of more even colour than the native cottons, and would be better suited to trade requirements. The hybrid cotton was of promising quality. Most of these samples contained dead insects (*Oxycarenus species*, the cotton stainer).

Report No. 5. (1906).

In 1906, twelve samples of cotton which had been grown at Labolabo plantation during 1905, of which eight were in both the ginned and unginned state, were forwarded by the Acting Director of Agriculture.

The samples comprised four American, one Egyptian, and three native, and four hybrid (American × native) varieties.

The American cottons were, on the whole, of fairly good quality, but in most cases were not fully mature and were consequently of poor strength. The unginned sample of Egyptian cotton was of inferior quality, but the ginned sample was of much better appearance and of a character approximating to that of the cotton of Upper Egypt. The native cottons were of satisfactory quality and would be serviceable as substitutes for Peruvian or Brazilian varieties. The hybrid cottons were very similar in character to the native forms.

Lagos (Three Reports).

Cultivation.—Very large areas possess both soil and climate suitable for cotton growing. The native Yorubas are an agricultural, hard-working race, and considerable stimulus has been given to cotton planting by the British Cotton Growing Association and the local Government. Ginneries, furnished with saw-gins and presses, have been erected by the British Cotton Growing Association at Lafenwa, Eruwa Road, Ibadan, Iwo, Oyo, Oshogbo, Agege, and Meko, and in order to deal with the large quantities of seed produced, an oil mill has been installed at Ibadan. A number of centres have been selected for the distribution of seed for planting and for the purchase of cotton, and experimental and seed farms of 150 acres and 30 acres have been established at Ibadan and Oyo respectively. The best and most permanent results are expected from that part of the hinterland beyond the Lagos palm belt where the people have at present no definite occupation. It is, therefore, important that the railway should be extended in a northerly direction, and this is being done. The results obtained hitherto are regarded as most encouraging, and it is anticipated that the amount of cotton produced will rapidly assume very large proportions.

Varieties.—Experiments are in progress on the acclimatisation of American cotton and the improvement of native varieties. Eighteen samples of cotton, including both American and native varieties, have been examined at the Imperial Institute (*vide* following Reports). Some of these cottons were of good quality, but it was evident that in all cases considerable improvement could be effected by greater care in cultivation and harvesting.

Export.—In 1903, the exports amounted to 289,841 lbs., of value £7,111; in 1904 to 862,912 lbs., of value £12,330; and in 1905 to about 1,281,000 lbs., of value £25,000; and in 1906 to 2,440,000lbs., of value about £40,000.

Report No. 1. (1905).

Nine samples of cotton from Olokemeji, two grown from American seed and seven of native varieties, were forwarded

by the Colonial Secretary, Lagos, for examination. All the samples were dusty, and some were found to contain a considerable amount of fragments of leafy matter. Most of the cottons were more or less stained, and all were capable of being improved by greater care in cultivation and harvesting. The two American cottons received slightly higher valuations than most of the others, but were of comparatively poor quality, and it was stated that under the existing conditions of cultivation the native varieties would probably prove more satisfactory. One native sample, however, the "Eponkon" was said to be of comparatively little value in this country, there being little or no demand for dark coloured cottons of this type.

The American samples, the second of which appeared to be of the "Sea Island" variety, were valued respectively at $4\frac{3}{4}d.$ and $6d.$ per lb., with "middling" American at $5{\cdot}70d.$ per lb., and "fine" Sea Island at $13d.$ per lb. The native cottons were valued at from $3d.$ to $5d.$ per lb., with "middling" American at $5{\cdot}70d.$ per lb.

Report No. 2. (1906).

A sample of ginned Sea Island cotton grown in the Soto Plantation, Western District of Lagos, was forwarded to the Imperial Institute for examination. It was stated that the seed from which the cotton was grown has been planted three months after the proper time owing to its late arrival. The staple was uneven and the lustre inferior. The colour, however, was good, and, though Sea Island cotton of such quality would probably not meet with a great demand, the results nevertheless indicated that with care in cultivation the Sea Island type of cotton might perhaps be grown in Lagos with some degree of success. The sample was valued at $10d.$ to $11d.$ per lb., with "fancy" Florida Sea Island at $13d.$ per lb.

Report No. 3. (1907).

Eight samples of cotton grown on the Moor Plantation, Lagos, were forwarded by the British Cotton Growing Association.

Five of the samples were derived from hybrid plants (native × American), one from a hybrid (native × Egyptian), and two consisted of native varieties.

The samples were all of good marketable value, but could not be classified as of either American or Egyptian type. The influence of the American seed on the hybrid was not so marked as might have been expected, and the cotton produced showed more of the characteristics of the so-called "Native" African cotton than of American. The harshness or "woolly" character which was noticed to a more or less marked degree in

all the samples, suggested that the cotton might be suitable for those purposes to which Brazilian or moderately rough Peruvian cotton is usually applied. Although similar in appearance to Egyptian cotton, the present samples lacked the silkiness which characterises this variety. The samples appeared to have been well cultivated and carefully ginned. They were generally free from signs of the attack of insect pests, but in one or two cases there were slight stains present which might possibly have been caused by the cotton stainer (*Dysdercus species*).

Southern Nigeria (Three Reports).

Cultivation.—An experimental plantation was established by the British Cotton Growing Association at Onitsha and yielded a large quantity of good cotton. A first attempt to grow American cotton on the Sobo Plain was unsuccessful. The work has now been transferred from Onitsha to Uboho in the Uromi country, which is situated to the north of the palm belt, and the natives are taking to cotton growing with considerable success. A ginning factory containing three 70 saw-gins and the requisite number of baling-presses has been erected at Illushi, and an experimental and seed farm of 100 acres has been established at Uboho. The palm oil industry in this country may stand in the way of cotton growing in many districts.

Varieties.—Several samples of native cotton which have been examined at the Imperial Institute have been found to be of inferior quality. American and Egyptian varieties have been tested, and the former have so far proved the more satisfactory, the "Black Rattler" variety, in particular, giving excellent results. Experiments are being made at Onitsha with a view to ascertain the best time for planting, the suitability of different varieties to the local conditions, and the effect of various manures on the yield of cotton.

Export.—The amount exported in 1903 amounted only to 123 lbs., of value £1; but increased in 1904 to 285,639 lbs., of value £2,501. In 1905, about 85,600 lbs. were exported.

Report No. 1. (1905).

Several samples of native-grown cotton were collected by Mr. W. G. Freeman in 1904. Most of the native cottons were of inferior quality, but in one or two cases it was stated that by careful cultivation a material might be produced such as would be suitable for the English market. One sample, which had been grown from American Upland seed, showed lack of care in cultivation and had been attacked by insect pests (*Oxycarenus species*), but if healthy and free from stains it would probably have been of good commercial value.

Report No. 2. (1904).

The composition of the soil of the Sobo Plains, Southern Nigeria, in its relation to cotton cultivation.

In connection with an inspection of the Sobo Plains which was carried out in 1904 with reference to the suitability of this district for cotton cultivation, representative samples of the soil were collected, and were examined in the Scientific and Technical Department of the Imperial Institute. Of these samples, four were specially selected as typical of the regions of the plains opposite Abraka where experimental planting had been carried out. These four specimens were submitted to mechanical and chemical analysis, and the results were compared with those furnished by certain cotton soils of the United States. The results showed that the soil was poor and sandy at the surface, but showed some improvement at a greater depth. The probability of there being a considerable supply of food constituents in the sub-soil was strengthened by the fact that a grass, *Trichopteryx simplex*, was found growing abundantly on the plains and attaining a height of six to eight feet; this plant must have obtained its nutriment from the lower strata.

A sample of this grass was chemically examined in order that conclusions might be drawn as to the nature and amount of food the grass had been able to derive from the soil. The results showed clearly that the soil some distance below the surface contained ample food-material of which this grass was able to make effective use. A comparison of the composition of the grass with that of the American and Egyptian cotton plants, showed that with the exception of lime the grass required nearly as much of the important nutritive constituents of a soil as cotton plants. It was therefore considered probable that if the cotton plant could once be established on the Sobo Plains, it would flourish if care was taken to compensate for the deficiencies of the upper layers of the soil. The following precautions were therefore recommended:—(1) Deeper ploughing, the indigenous grass being ploughed in and allowed to decay in the ground, or burnt and the ash returned to the soil as a manure. (2) A systematic rotation of crops, the cotton being preceded by a leguminous crop of suitable character. (3) The application of a chemical manure, rich in lime and phosphoric acid.

Report No. 3. (1907).

Sixteen samples of cotton grown on the Government Plantation at Olokemeji, Western Province of Southern Nigeria,

were forwarded by the Acting Provincial Commissioner. With the exception of one sample of native brown or "khaki" cotton, the cottons had evidently all been grown from seed of improved American Upland varieties. The products were well grown, of very good quality, and compared satisfactorily with standard samples of American cotton. Commercial experts valued these cottons at from 6⅝*d.* to 7½*d.* per lb. when "middling" American was quoted at 6·64*d.* per lb. The "khaki" cotton was not regarded as of any value since it was not in any demand.

Northern Nigeria (Three Reports).

Cultivation.—Cotton has long been grown by the natives in large quantities in all parts of Northern Nigeria, the Zaria Province alone producing between 30,000 and 40,000 bales, all of which is used locally. The country possesses enormous possibilities for cotton production, and the people are thoroughly acquainted with the cultivation. Experts of the British Cotton Growing Association who visited Northern Nigeria were much impressed with the quality of the cotton grown and the possibilities of developing the cultivation. The British Cotton Growing Association are co-operating with the Niger Company in growing cotton in the neighbourhood of the Niger and Benue Rivers. Ginning factories have been erected by the British Cotton Growing Association at Lokoja and Ogodu, each containing three 70 saw-gins and the requisite number of baling presses, and experimental and seed farms, each of 50 acres, have been established in the same localities. The chief obstacle to the establishment of an export industry is the absence of transport facilities from the interior, but a railway is now being constructed.

Varieties.—The results of the examination of sixty-two samples of cotton, of several varieties at the Imperial Institute, are given in the following Reports. The cotton was, in most cases, of fair quality, but of a mixed character and uneven colour, length, strength, and fineness. Many of the samples contained both immature and over-ripe cotton.

Export.—Cotton has long been grown in large quantities by the natives, but none was exported until 1904, when 287,233 lbs. were supplied to the United Kingdom. In 1905, the exports amounted to about 123,600 lbs., and in 1906, to about 356,200 lbs.

[An article on "Cotton-Growing in Northern Nigeria" has been published in the "Bulletin of the Imperial Institute," 1905, vol. III., pp. 49-55.]

See also Professor Dunstan's Report on cotton, gum, and other products from Northern Nigeria, 1905 [Cd. 2,778].

Report No. 1. (1905).

Thirty-four samples of ginned and unginned cotton together with two specimens of seed and one of cotton bolls were received for examination from Northern Nigeria. The cotton was in most cases of fair quality and would be readily saleable in the English market. Attention was drawn, however, to two defects, namely: (1) the mixed nature of the cotton, due to want of care in the selection of the seed used for sowing, and resulting in the production of a staple of uneven colour, length, strength, and fineness, and consequently of diminished value; and (2) the presence of immature and over-ripe cotton, especially the former, whereby the commercial value of the product was considerably decreased. It was recommended that greater care should be devoted to the selection of the seed, and also that the crops should be gathered as the cotton ripened, and that the different pickings should be kept separate.

Seven of the samples were submitted to commercial experts and were valued at prices between $2\frac{3}{4}d.$ and $4\frac{3}{4}d.$ per lb., when "middling" American was quoted at $3\frac{3}{4}d.$ per lb., and "fully good fair" Brown Egyptian at $6\frac{3}{4}d.$ per lb.

Report No. 2. (1905).

The Cotton Boll Worm in Northern Nigeria.

In considering the best methods of dealing with the cotton boll worm in Northern Nigeria, it is important in the first place to ascertain whether the insect is indigenous or whether it has been imported with the seed. It seems improbable that the pest could have arrived in the form of eggs with the seed, as these would have hatched with the warmth experienced on the voyage and the larvæ would probably have perished for want of food. Pupæ or hibernating moths might possibly have come with the seed, and it is important that, if any of the imported seed is left and available for inspection, a search should be made for these as well as for the eggs.

The insect does not depend on cotton only for its existence, but feeds on many other plants. In the United States it prefers maize in the early part of the year and attacks the cotton plant when the maize has become too hard to be attractive. Among other plants attacked may be mentioned the cowpea and tomato. It seems very likely that the insect noticed feeding on guinea corn and maize at Pateji, and mentioned in the Forest Officer's Minute of the 11th January, 1905, is actually the cotton boll worm. Further, the insect has been reported to occur in the Canaries and in the Congo.

Thus the balance of probability seems to be that the pest is a native of Northern Nigeria and has acquired a taste for the

American variety of cotton plant. The question of its origin must be determined, however, by careful observations on the spot, and the treatment to be adopted will depend on the result.

Remedial Measures.

1. If the insect is indigenous to Northern Nigeria, it would of course be impossible to destroy it by means of seed disinfection, although, if practicable, it would be wise to adopt this method in order to destroy other pests.

2. If Mr. Sciortino's observation that the worm does not attack the native cotton is confirmed, it would be well to devote a series of experiments to the development of an improved native cotton plant by a careful system of seed selection which might be started in the Government Experimental fields.

3. The boll worm moth lays its eggs on maize plants, and especially on the silky tassels, in preference to cotton, up to the time of the hardening of the maize. On this fact is based the so-called "trap-crop" plan, which consists in planting maize near the cotton at a period late enough to provide a supply of tassels when the cotton boll is in danger of attack by the pest. The arrangement of this plan must be worked out with special consideration of the local conditions.

4. If local conditions permit, the plan might be tried of planting the cotton in a place where there is no guinea corn or maize or other plant likely to harbour the boll worm in the immediate neighbourhood.

5. Poisoning.—The injury caused to the cotton plants by the boll worm can be lessened by the use of poisons, such as Paris green. As soon as it is noticed that the moths are becoming numerous in the cotton fields, an application should be made and should be followed by a second application after a week or ten days. Special care should be taken to distribute the poison as far as possible over all parts of the plant. Should the poison be washed off by rain soon after it has been applied, its application must be repeated.

One method of applying Paris green is to mix it with water in the proportion of 1 lb. to every 50 gallons of water and apply it by means of a spraying machine.

Another method is to dust the poison on the plants in quantities of about 2 or 3 lbs. per acre. The powder is placed in a bag of some material which will allow a certain amount to fall through as dust when the bag is shaken. It should be borne in mind that the poison must be applied cautiously, as an excess may cause injury to the plants.

Should the poisonous nature of Paris green be considered a bar to its employment, it is possible that good results might be secured by means of a soap and kerosene emulsion. The

remedy has not been tried hitherto for this particular pest, and it would be necessary therefore to undertake experiments in order to demonstrate its efficacy. The mixture is prepared by dissolving ½ lb. of soft soap in 1 gallon of boiling water and pouring the warm soap solution into two gallons of kerosene and beating it up to a creamy liquid, when it is then made into a fairly permanent emulsion by forcing it through a fine spray nozzle into another vessel. This emulsion, after dilution with from 10 to 20 times its own volume of water, should be sprayed on to the cotton plants.

Report No. 3. (1907).

Twenty-seven samples of cotton of different varieties grown in various provinces of Northern Nigeria were forwarded by the Forestry Officer. A great variation was noticed in the quality of the material, but in many cases the cotton was of excellent quality. The chief defect was the uneven colour of many of the specimens, and in almost all cases this character was accompanied by evidence of the presence of insect or fungoid pests in the cotton. The native varieties seemed less liable to attack than those grown from imported seed, and thus appeared to be more capable of successful cultivation in Northern Nigeria.

The American cottons were valued at from 5½*d.* to 7½*d.* per lb., with "middling" American at 6·39*d.* per lb., but attention was drawn to the fact that cotton grown from selected American seed was generally worth about 2*d.* per lb. more than "middling" American, so that none of the selected American varieties grown in Northern Nigeria were equal to standard samples of the same varieties from the United States. Most of the native cottons were valued at from 7¾*d.* to 9*d.* per lb., with "good fair" moderately rough Peruvian at 9·10*d.* per lb., whilst two of the native samples which were similar to American imported varieties, were valued at 4½*d.* and 6*d.* per lb. respectively, with "middling" American at 6·39*d.* per lb. The Egyptian and Brazilian varieties were of very poor quality, such as would not be likely to repay cultivation. The specimen of Egyptian cotton was valued at about 6*d.* per lb., with "fully good fair" Brown Egyptian at 10 1/16*d.* per lb., and the Brazilian cotton was stated to be nominally worth 4*d.* per lb.

It was noticed that previous recommendations as to the need for greater care in the selection of the seed for sowing, and also in the picking, had been carried out, and the results attained were stated to show that the natives of Northern Nigeria had already reached a high standard in cotton cultivation, and that, if expert advice were placed at their disposal, the country should take a high place in the future as one of the centres of cotton production of the world.

MAURITIUS.

(Two Reports).

Cultivation.—Cotton has long been grown in Mauritius, and both soil and climate are suitable.

Varieties.—"Sea Island" and "Kidney" cottons were introduced about a century ago, and trials have been made recently with the Egyptian "Mitafifi" variety.

Export.—In 1812-17, the average export of cotton amounted to over 500 tons, but the quantity rapidly decreased, and in 1829 amounted to less than 7 tons. An attempt is being made to re-establish the industry.

Report No. 1. (1904).

A sample of unginned cotton, grown at Black River in Mauritius, was forwarded by Sir Charles Bruce, G.C.M.G. The fibre was white, fairly soft, of good strength, and rather irregular length. The sample was too small to enable a commercial valuation to be obtained, but it was stated that the value of the ginned material would probably approximate to that of "middling" American cotton.

Report No. 2. (1907).

Eleven samples of cotton received from the Acting Director of Forests and Gardens, Mauritius, and one sample forwarded by the Acting Colonial Secretary, Mauritius, were examined at the Imperial Institute. Ten of the samples had been grown at the Royal Botanic Gardens, Pamplemousses, and the remaining two at Le Réduit Gardens. The cottons were generally much darker in colour than standard commercial specimens of the same varieties. The so-called American varieties exhibited many of the characteristics of inferior Brown Egyptian cotton. The samples were imperfectly ginned, some of the seeds having been crushed, and the cotton having consequently become stained by the expressed oil.

The unsatisfactory quality of the cotton was doubtless due to the mixed character of the seed from which it was grown, and it was therefore recommended that care should be taken to keep the different varieties of seed separate. The two samples of "Mitafifi" were valued at 6½*d.* and 7*d.* per lb. respectively; the five samples of improved American Upland at from 6¼*d.* to 7½*d.* per lb., one sample of American Upland at 5¾*d.* per lb., and four samples of doubtful variety at from 7*d.* to 7½*d.* per lb. On the date of these valuations, "fully good fair" Brown Egyptian was quoted at 9¾*d.* per lb., "good" Egyptian Abassi 10⅜*d.* per lb., "middling" American at 6½*d.* per lb., and "fancy" Florida Sea Island at 13*d.* per lb.

SEYCHELLES.

(One Report).

Cultivation.—Soil and climate are suitable, and cotton is cultivated to a small extent in most of the outlying islands of the archipelago, but the industry is at present only in an experimental stage.

Varieties.—A wild cotton, "Sea Island," "kidney", and Egyptian cottons are being cultivated. Samples of cotton grown in the Astove Islands have been examined at the Imperial Institute and are described in the following report.

Report No. 1. (1905).

Two samples of cotton, one ginned and the other unginned, were received from the Governor of the Seychelles, who stated that they had been grown in the Astove Islands. The cotton was of very good colour and of a character and quality which would ensure a ready sale. It was valued at 5*d.* per lb., with "middling" American at $3\frac{3}{4}$*d.* per lb. The excellent character of this sample of cotton considered in conjunction with information supplied by the Curator of the Botanic Station indicated that the prospects of cotton cultivation in the Seychelles were very promising.

ASIA.

The Straits Settlements and the Federated Malay States. (Two Reports).

Cultivation.—Cotton is grown at present only to a very small extent. The climate is not altogether favourable, since the wet and dry seasons are not definitely marked. The cotton plant is very susceptible to attack by animal and vegetable parasites, but the amount of injury can be minimised by cultivating quick-growing varieties. In the event of the cultivation being undertaken on an extensive scale, the labour supply would probably prove inadequate.

Varieties.—Tree cotton (*Gossypium arboreum*) and a short-stapled variety known as "Kala-kala" are grown to a small extent, but there appears to be little prospect of cotton cultivation becoming an established industry. A sample of Egyptian cotton grown in the Government Experimental Plantation, Selangor, has been examined at the Imperial Institute and found to be of somewhat inferior quality (*vide* following Report).

Report No. 1. (1905).

Two samples of Egyptian cotton, one ginned and the other unginned, were received from the Federated Malay States with a letter from the Superintendent of Experimental Plantations, Batu Tiga, Selangor, where they had been grown. The cotton was clean, of good hard staple, mixed in colour and worth about 5*d.* per lb., with "fully good fair" Brown Egyptian at $6\frac{3}{4}d.$ per lb. The samples were somewhat inferior to average qualities of Egyptian cotton, this being probably due to deterioration caused by the adverse climatic conditions to which the plants were subjected in the early period of their growth. The cotton was nevertheless of fair quality, and it was stated that, if this standard could be maintained and a moderate yield secured, the cultivation might prove remunerative. It was further recommended that in any case the experiments then being carried on with the object of establishing a hardy type of cotton adapted to the local conditions, should be continued.

Report No. 2. (1907).

A sample of cotton forwarded by Mr. C. Alma Baker, and stated to be of Egyptian variety, was harsh, of an even cream colour, and of good length. The product approached a Peruvian type in character, would be readily saleable, and was valued at 8*d.* per lb., when "good" moderately rough Peruvian was quoted at 8·35*d.* per lb.

British North Borneo. (One Report).

Cultivation.—Cotton grows wild in certain districts. The local conditions would probably prove favourable to its cultivation, which, at present, is carried on only to a very small extent. An ample supply of labour is available.

Varieties.—The native variety yields a white cotton of medium length. A sample of "kidney" cotton grown in the Government Experimental Garden at Fort Birch has been examined at the Imperial Institute and found to be of promising quality (*vide* following Report).

Export.—The exports of cotton are very small, amounting in 1900 to the value of about £60.

Report No. 1. (1905).

Samples of ginned cotton and of cotton bolls, of the "kidney" variety, grown in the Government Experimental Garden, Fort Birch, British North Borneo, were forwarded at the request of the Acting Governor. The cotton was very clean, but of short, rough staple; it was also irregular in length and strength owing to the presence of immature fibre

and to injury caused to the crop by some insect pest. Commercial experts valued the ginned cotton at about 5¼*d.* per lb., with "middling" American at 5·38*d.* per lb. It was stated that the cotton was capable of considerable improvement, and with careful cultivation would yield a staple of very good quality.

AUSTRALASIA.

Australia.

Cultivation.—Extensive districts in Queensland, New South Wales, and South Australia possess a soil and climate suitable for cotton-growing. It has been proved that cotton can be grown in these Colonies, and, in former times, it was cultivated in Queensland on a commercial scale. Attempts are being made to re-establish the industry, but considerable difficulty is experienced with regard to the labour supply. Experiments are also being carried on in New Guinea.

Varieties.—An indigenous variety of *Gossypium barbadense* is grown, and trials are being made to ascertain the suitability of certain districts for Egyptian cotton and for American "Sea Island" and "Upland" varieties. A sample of "Sea Island" cotton from South Australia and a native cotton from British New Guinea have been examined at the Imperial Institute, and are described in the following Reports.

Production.—The amount of cotton now produced in the Commonwealth is extremely small, but some years ago a considerable quantity was grown, particularly in Queensland, where, in 1892, the crop was nearly 100 tons (ginned).

South Australia (One Report, 1904).

A sample of cotton, grown at Port Darwin, Northern Territory of South Australia, was forwarded by the South Australia Chamber of Manufactures and was stated to be probably of the Sea Island variety. The product was silky but of short staple, and inferior to American "Sea Island" cotton. It was valued at about 7½*d.* per lb.

British New Guinea (One Report, 1905).

A sample of "kidney" cotton, which grows wild in British New Guinea and is known by the natives as "Goto," was forwarded to the Imperial Institute by the Administrator together with a specimen of the seed. The cotton was long, strong, harsh, and very coarse, and contained some immature fibre. It was regarded as of good commercial value, and would no doubt repay careful cultivation and the adoption of systematic

methods of harvesting. The sample was considered to be equal in value to "middling" American cotton.

WEST INDIES.

Cultivation.—Cotton-growing is extending rapidly, the area under cultivation during the season 1904-5 being estimated at 14,000 acres, as compared with 4,000 acres in 1903, and 400 acres in 1902. Soil, climate, and labour conditions are favourable, and the industry is now established on a commercial basis. The British Cotton Growing Association are taking great interest in the development of cotton growing in the West Indies and have sent out ginning and other machinery. An oil mill has been erected recently in Barbados which will create a local market for the cotton seed.

Varieties.—Several varieties have been tested but there is no doubt that in most localities the "Sea Island" variety is best suited to the existing conditions. Numerous samples, comprising Sea Island, American Upland, Egyptian, Peruvian, Brazilian, and native varieties, have been received at the Imperial Institute from many of the West Indian Islands, including Trinidad, Barbados, St. Vincent, St. Lucia, Antigua, St. Kitts, Nevis, Anguilla, Tortola, and Carriacou.

Most of these cottons, especially those of the "Sea Island" variety, are of excellent quality, and have been sold at high prices ranging from 1*s.* to 2*s.* per lb. Samples from Carriacou, St. Vincent, Barbados, and Trinidad are described in the following reports.

Export.—The following quantities of cotton have been exported:—In 1902, 328,530 lb.; 1903, 397,541 lb.; 1904, 698,981 lb.; 1905, 1,122,800 lb.; 1906, 1,577,431 lb.; and during the half-year ending June 30th, 1907, 1,785,887 lb. The estimated value of the exports (including both cotton and seed) was as follows:—1902, £9,676; 1903, £11,873; 1904, £31,881; 1905, £63,290; 1906, £90,092; half-year ending June 30th, 1907, £167,664.

(An article on "Cultivation of Cotton in the West Indies" has been published in the "Bulletin of the Imperial Institute," 1903, Vol. I., pages 88-89.)

Carriacou (One Report, 1906).

Two samples of ginned cotton, grown in Carriacou, were received from the Acting Colonial Secretary, Grenada. One sample, consisting of Sea Island cotton, was of good lustre, soft and silky, but of rather poor strength, and not quite equal to a standard specimen. The sample was, however, very promising, and could be utilised for the same purposes as the lower qualities of American Sea Island. Brokers valued it at

about 10*d.* to 10½*d.* per lb., with "fancy" Florida Sea Island at 13*d.* per lb.

The second sample, consisting of "Marie Galante" cotton, was very clean, of an even deep cream colour, rather harsh and "woolly" and of normal strength. This sample was an excellent cotton of Peruvian or Brazilian type, and might be used as a substitute for these varieties. It was valued at about 7*d.* to 7½*d.* per lb., with "good moderately rough" Peruvian at 7¾*d.* per lb., and "good rough" Peruvian at 8¼*d.* per lb.

St. Vincent (One Report, 1906).

Fourteen samples of Sea Island cotton grown in St. Vincent were received at the Imperial Institute and found, in the majority of cases, to be of excellent quality, being highly lustrous and very uniform in colour. Some of the samples contained small quantities of unripe fibre, and greater care in picking was therefore recommended. In some of the specimens occasional stains were noticed, which were probably caused by the oil expressed from a few crushed seeds, which were present in the samples. It was pointed out that such stains might be obviated by more care in the adjustment of the gins.

Barbados (One Report, 1906).

Four samples of Sea Island cotton and two of Egyptian were forwarded to the Imperial Institute by the Superintendent of the Agricultural Department, Barbados. The Sea Island cottons were of excellent quality, though in two cases a slight irregularity in the length of staple was noticed. The sample of Egyptian "Abassi" cotton was also of excellent quality, being very lustrous, unusually long, and of a type approaching that of a fine Sea Island. The sample of Egyptian "Mitafifi" cotton showed a lack of uniformity in length of staple and in colour, but in other respects was of satisfactory quality.

Trinidad (Two Reports).

Report No. 1. (1904).

A sample of native cotton, known locally as "Creole," and grown at the Experiment Station, St. Clair, was forwarded by the Governor of Trinidad. This cotton was said to be better adapted to the climate of Trinidad than the Sea Island variety. The material was found to be of a pale cream colour, well cleaned, rather rough to the touch, and fairly strong, possessing a length of staple a little above the average for American Upland cottons. Commercial experts reported that it would be valuable on account of the roughness of the staple, in which particular it resembled semi-rough Peruvian cotton. It was valued at 8½*d.* to 9*d.* per lb., with "middling" American at 7¾*d.* per lb.

Report No. 2. (1907).

A sample of improved American Upland cotton ("Sunflower" variety), forwarded by the Superintendent of the Botanical Department, Trinidad, was found to be soft and silky, very lustrous, of a pale cream colour, and free from stains. It was valued at 10*d.* per lb., with "middling" American at 7·18*d.* per lb., and "fancy" Florida Sea Island at 19¼*d.* per lb.

BRITISH GUIANA.

(Two Reports).

Cultivation.—Although cotton-growing was at one time carried on profitably in British Guiana, it is doubtful whether a successful industry could be established at the present time, owing to the fact that the cost of labour is higher there than in the West Indian Islands. During the year 1904-5, about 40 acres were devoted to cotton, but in 1905-6 only 17 acres were under cultivation.

Varieties.—Certain varieties grow wild in British Guiana, among which may be mentioned a kidney cotton known as "Baboon" or "Khaki" cotton on account of its reddish-brown colour, the "Buck" variety, which is a white, rather harsh cotton with a length of staple about one inch, and a native "Sea Island" of good quality. Samples of these cottons have been received at the Imperial Institute as well as those grown from imported seed, including Egyptian, American, and Brazilian types.

Export.—During 1904-5, 1,785 lb. were exported, of value, £61, in 1905-6, the quantity decreased to 1,121 lb., of value, £33, and in 1906-7 it fell still further to 303 lb., of value, £11.

Report No. 1. (1905).

Seven samples of unginned cotton were received from British Guiana, but were too small to admit of a complete investigation. Most of the samples were fine, soft, strong, and of good length, and all were of very good colour. In some cases the length of the staple was somewhat irregular, but all the samples would meet with a ready sale in the English market.

Report No. 2. (1907).

Eighteen samples of cotton of different varieties were forwarded by the Director of Science and Agriculture, British Guiana. The specimens were of most promising quality, and indicated that all the varieties represented could be grown most successfully in British Guiana. The varieties and nominal values of the samples were as follows:—

"Buck" or Native Indian, 7¼*d.* per lb. (with "middling" American at 7·04*d.* per lb.); Native Sea Island, 10*d.* per lb. (with "fancy" Florida Sea Island at 19½*d.* per lb.); Brazilian, 9½*d.* to 9¾*d.* per lb. (with "fair" Pernam at 7·30*d.* per lb.); Egyptian "Hamuli," 8½*d.* to 9*d.* per lb. (with "fully good fair" brown Egyptian at 10½*d.* per lb.); Egyptian "Abassi," 10*d.* per lb. (with "good" Abassi at 14⅜*d.* per lb.); Egyptian "Yannovitch," 11*d.* per lb. (with "good" Yannovitch at 14⅞*d.* per lb.); Egyptian "Mitafifi" (two samples) 9*d.* to 10*d.* per lb. (with "fully good fair" brown Egyptian at 10½*d.* per lb.); "Caravonica" (four samples), 9½*d.* to 10½*d.* per lb. (with "good fair" moderately rough Peruvian at 10*d.* per lb.); "Baboon," 6¾*d.* to 7*d.* per lb.; Black Peruvian, 9½*d.* to 10*d.* per lb. (with "good fair" moderately rough Peruvian at 10*d.* per lb.); American Sea Island, 18*d.* per lb. (with "fancy" Florida Sea Island at 19½*d.* per lb.); American Upland (three samples), 6¼*d.* to 7½*d.* per lb. (with "middling" American at 7·04*d.* per lb.).

BRITISH HONDURAS.

(Two Reports).

Cultivation.—Cotton grows wild in British Honduras, and the soil and climate in the Northern Districts of the Colony are said to be very favourable for its cultivation. The chief drawback to the establishment of a cotton industry, however, is the lack of a cheap, reliable, and efficient labour supply.

Varieties.—Samples of cotton, including American Upland, Sea Island, and Egyptian varieties, have been examined at the Imperial Institute, and are described in the following reports.

Report No. 1. (1905).

Four samples of cotton, three of the Upland class and one Egyptian, which had been grown in the Corozal District, were received from the Colonial Secretary, British Honduras. The American cottons were all of very good quality, and would be readily saleable in the English market; they were valued at 5·75*d.* to 6·10*d.* per lb., with "middling" American at 5·78*d.* per lb. The Egyptian cotton was less promising, and was decidedly inferior to the average qualities of this product grown in Egypt. It was much stained, and was valued at 5¼*d.* to 5½*d.* per lb., when "fully good fair" Brown Egyptian was quoted at 8⅛*d.* per lb. It was pointed out that if the American cottons could be grown satisfactorily on a large scale, their cultivation might prove remunerative, though, at that time, cotton-growing in British Honduras should be regarded as experimental, and attention be directed to a consideration of questions of rainfall and climate, and to careful experimental cultivation on a small scale.

Report No. 2. (1906).

A sample of unginned "Sea Island" cotton, grown at the Corozal Station, was forwarded by the Acting Colonial Secretary, British Honduras, and though soft, silky, and of good length it was found to be of but inferior quality. The chief defects were stains and immature fibres, the presence of which rendered the cotton unsuitable for the purposes to which the "Sea Island" variety is usually applied. The commercial experts reported that the cotton had evidently been grown from "Sea Island" seed in an unsuitable climate, the staple having become greatly deteriorated and very mixed, and they further expressed the opinion that cotton of this quality, although nominally worth 8*d.* per lb., would not be readily saleable.

As "Sea Island" cotton is particularly liable to deterioration when grown in an unfavourable climate, it was suggested that better results might be obtained in British Honduras by the cultivation of American Upland or Egyptian varieties.

BERMUDA.

(One Report).

There is at present no cotton industry in Bermuda. Soil and climate are probably suitable but only a very small area is available for the cultivation. Experiments are being made, however, with the "Sea Island" variety.

Owing to the high price of land and labour, it is not likely that a profitable industry could be established, unless the cotton produced were of very high quality.

A sample of "Sea Island" cotton from Bermuda has been examined at the Imperial Institute, and is described in the following report.

Report No. 1. (1905).

A sample of unginned Sea Island cotton was forwarded by the Colonial Secretary, Bermuda, and was found on examination to be, on the whole, of excellent quality, though its value was diminished by the presence of immature fibre. Commercial experts stated it to be worth from 13*d.* to 14*d.* per lb., "fine" Sea Island being quoted at 14*d.* per lb., and "extra fine" Sea Island at 21*d.* per lb. on the same date. They further drew attention to the presence of a small quantity of stained cotton in the sample, and stated that if much of this was present in a consignment, the commercial value of the material would be considerably reduced.

It was recommended that careful attention should be given to the cultivation and, especially, to the collection of the crops, the cotton being gathered as it ripened and the different pickings kept separate. By this means the inclusion of immature fibre in the best portions of the crop would be avoided.

COLONIAL REPORTS.

The following recent reports relating to His Majesty's Colonial Possessions have been issued, and may be obtained from the sources indicated on the title page :—

ANNUAL.

No.	Colony.	Year.
524	Jamaica	1905–1906
525	Uganda	,,
526	St. Helena	1906
527	Ceylon	,,
528	Bermuda	,,
529	Gibraltar	,,
530	Northern Territories of the Gold Coast	,,
531	Sierra Leone	,,
532	Colonial Survey Committee	1906–1907
533	Weihaiwei	1906
534	Gold Coast...	,,
535	Malta	1906–1907
536	Gambia	1906
537	British Central Africa Protectorate	1906–1907
538	Bechuanaland Protectorate	,,
539	Leeward Islands	,,
540	Straits Settlements	1906
541	Turks and Caicos Islands	,,
542	Somaliland Protectorate	1906–1907
543	Bahamas	,,
544	Barbados	,,
545	Trinidad and Tobago	,,
546	Grenada	,,
547	Mauritius	1906
548	Fiji	,,
549	Jamaica	1906–1907
550	British Guiana	,,
551	Northern Nigeria	,,
552	British Honduras	1906
553	St. Lucia	1906–1907
554	Southern Nigeria	1906
555	St. Vincent	1906–1907
556	Basutoland...	,,

MISCELLANEOUS.

No.	Colony.	Subject.
42	Ceylon	Mineral Survey, 1905-6
43	Caicos Islands	Fibre.
44	East Africa Protectorate... ...	Survey Department.
45	Do. do.	Geology.
46	Northern Nigeria	Mineral Survey (1904–5).
47	Do. do.	Do. (1905–6).
48	Nyasaland Protectorate	Do.
49	East Africa Protectorate... ...	Veterinary Department.

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1908.

COLONIAL REPORTS—MISCELLANEOUS.

No. 43.

REPORT

UPON THE

CAICOS ISLANDS:

WITH SPECIAL REFERENCE TO THE FURTHER DEVELOPMENT OF THE

SISAL INDUSTRY.

Presented to both Houses of Parliament by Command of His Majesty.
October, 1907.

LONDON:
PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE,
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1907.

[Cd. 3766.] *Price 2d.*

No. 43.

CAICOS ISLANDS.

THE GOVERNOR TO THE SECRETARY OF STATE.

King's House,
Jamaica,
8th August, 1907.

MY LORD,

I HAVE the honour to transmit to your Lordship a copy of a letter from the Commissioner of the Turks and Caicos Islands, enclosing a report upon the Caicos Islands, with special reference to the further development of the sisal industry.

2. Your Lordship will, I think, agree with me that Mr. Watkins deserves great credit for the thoroughness and excellence of this report.

I have, &c.,

SYDNEY OLIVIER,
Governor.

The Right Honourable
The Earl of Elgin, K.G.,
&c., &c., &c.

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Population.

According to Census of 1901, the population was returned at 3,083, of whom 91 were white and 2,992 black. The numbers of inhabitants residing in the different islands were:—

South Caicos	702
East Caicos and Middle Caicos ...	785
North Caicos	866
Blue Hills or Providenciales ...	656
West Caicos	74
	3,083

Area.

As there has been no complete survey of the islands, it is impossible to state the exact area, but a fairly accurate estimate would be 150 square miles.

A short description of each of the chief islands may be of interest.

South Caicos.

South Caicos, at the extreme end of the easterly portion of the semi-circle, is the only island on which the salt industry is pursued. In all, there are about 400 acres of salt pond, producing on an average 700,000 bushels a year, which are situated to the north of the town of East Harbour or Cockburn Harbour at the south-eastern corner of the island. The production of salt is assisted by a curious opening near the centre of the salinas, known as the "Boiling Hole," which is apparently connected with the sea by an underground passage, and gives an unfailing supply of salt water, the quantity of which can be regulated by trap-doors. At the northern side of the island, a portion of which is known as Sail Rock, many head of cattle used to graze, and ground provisions were raised for local consumption.

East Caicos.

Three small islands, Plandom Cay, Middle Cay, and Nigger or Negro Cay, planted in some places by small owners, separate South Caicos from East Caicos, which lies to the north-west of the former island. East Caicos, including a cay called Sail Rock (not the portion of South Caicos already mentioned) is about 15 miles long east and west, and 10 miles north and south. According to a plan of a former Colonial Surveyor, the area belonging to the East Caicos Company is 10,580 acres, of which 9,233 belong to East Caicos and 1,347 to Sail Rock. This island is interesting, as being the scene of operations of the East Caicos Company, one of the pioneers of the sisal industry in the Dependency. The Company, formed in 1890, was registered, under the Companies Ordinance, in 1891. As

in most enterprises, the Company had to buy its experience in the initial stages, but having struggled through the tentative period of existence, the undertaking has been established on a sound commercial footing.

To give some idea of the extent of its operations, the following particulars connected with the personnel and work of the Company may be useful:—

1. The staff consists of:—

Manager,
Engineer in charge,
2 Overseers and 1 Assistant Overseer,
2 Clerks.

2. There are 14 miles of tram-line, consisting of two main branches with loops, along which the trolleys are drawn by mules.

3. For shipping the fibre there is a strong substantial wharf; and a schooner, of 50 tons, for communication with Grand Turk is now in course of construction.

4. The fibre is extracted at two stations or factories, one at Jacksonville, the shipping place, the other near Flamingo Hill, 2¼ miles from the former.

5. To accommodate the labourers there are two large barracks, with quarters for married couples, to hold 300 to 400 persons at Jacksonville and Breezy Point.

6. Everything in the form of food, except alcoholic liquors, and clothing likely to be required by the labourers is supplied in a store.

7. A building is provided for holding religious services.

An average of 200 hands are employed, most of whom live at Lorimers in the Grand or Middle Caicos, but some of the labourers come from as far as Blue Hills to obtain employment. The excellent order maintained is largely due to the personal influence and character of the Manager and also to the prohibition of alcoholic liquor from the island. Irrespective of material results, a great and good work has been accomplished by the Company, for the opportunity of regular employment and fair wages has been the means of introducing habits of work and industry among the people of the district. With reference to the good effected by the introduction of the fibre cultivation into the island, a former District Commissioner, in one of his reports, wrote: "It will serve to illustrate the way in which a little enterprise and capital can turn the barren land of the Caicos Islands into a flourishing and remunerative concern; which also is, and will be, a veritable boon to many an inhabitant of that poverty-stricken neighbourhood, where slender resource and apathetic want of enterprise can barely keep starvation from the door."

The following statistics for 1906, a most unfavourable year, will also be of interest:—

Area under Cultivation.

	Acres.
Original cultivation	963
Second ,, ...	471
Third ,, ...	500
Being prepared for planting	1,000
Suitable land available for future development ...	3,000
	5,934

Fibre extracted, 219,365 lbs.
Bales shipped, 514.
Suckers planted in old cultivation, 218,000.
Suckers planted in new cultivation, 314,000.

Middle or Grand Caicos.

Separated from East Caicos by Windward Going Through Passage and Bell's Cay, and from North Caicos by Bottle Creek, Middle or Grand Caicos, the largest island of the group, is 25 miles long east and west, and has an extreme breadth of about 12 miles north and south. The chief villages or settlements are Lorimers, Bombarra, and Conch Bar. Lorimers, with a population of 500, is situated on one of the arms of land enclosing a creek which, at Big Landing on the north side, is divided from the sea by a narrow strip of land, and can only be entered on the south side during favouring tides by boats of light draught. Around the village the labourers plant, during the rainy seasons, a little corn and a few ground vegetables. On both sides of the creek lies a plantation, Haulover, of several thousand acres suitable for sisal, which is already being cultivated on a small scale.

Bombarra, a small village on the ridge of a hill three miles north of Lorimers, has a population of about a hundred, most of whom, bearing the name of Forbes, are engaged in working land in the neighbourhood of the principal settlement.

Conch Bar, a scattered village, with a population of about 250 persons, the majority of whom are named McIntosh, lies on the north-western shore of the island, six miles west of Bombarra. The soil, in consequence of the destructive manner of clearing the land by fire, has become poor and rocky, and the people, when not engaged in fishing, have frequently to walk as far as Lorimers, where they rent plots of land. Close to Conch Bar is a large cave with a floor and roof of lime concretion, and at the sides are numerous stalagmite columns formed by the evaporation of water which, dripping through the roof, holds the lime in solution. When the cave was being worked for guano, several skeletons and stone implements of the Caribs were found.

North Caicos.

Lying to the north-west of, and separated from, Grand Caicos by Bottle Creek and from Blue Hills by several passages and small cays (Parrot, Lebess, Dellis, Fort, Grouper, Pine, and Water Cays), lies North Caicos, which is about 12 miles long east and west, and 8 miles north by south. In comparison with that of the other islands, the land is fertile, and has in the past evidently been divided into large plantations. The inhabitants, 866 in number, probably owing to having more to do with the soil, preserve more than elsewhere in the group the traditions of "Old Massa" and the Southern States traditions. The principal settlements are Kew and Bottle Creek, the former near the middle of the island three miles from Belfield Landing on the southern shore, and the latter on the eastern side on a broad and picturesque creek of that name. Near to Kew is Wade's Green, the former residence of the magistrates of the western portion of the Caicos Islands. In the neighbourhood of Kew is a considerable area of good soil which is being rapidly impoverished by defective methods of cultivation. Sugar was planted in bygone days, for the ruins of the old works are still to be seen. Judged by the size and vigorous growth of the few sisal plants to be found here and there, the land would be admirably adapted for fibre cultivation.

Bottle Creek is approached from the northern side in light draught boats by a narrow opening to the creek. In the vicinity of the straggling village, which has a population of about 300 inhabitants, are the plantations of Bellevue, Windsor, and Richmond. Of the first-named plantation about 150 acres are already under sisal cultivation, which is being rapidly extended as the limited capital at the disposal of the owner permits. The proprietor belongs to Cockburn Harbour, and is showing, in spite of many drawbacks, what local enterprise and energy, if exerted, can achieve.

Providenciales or Blue Hills.

To the west of North Caicos is the large island of Providenciales or Blue Hills, extending in extreme length 17 miles east by west, and 12 miles north by south. It has much elevated land, at the foot of which is found soil suitable for the growth of sisal. The island has a population of 656 persons, chiefly engaged in sponging. The settlements are:—Blue Hills, about the middle of the northern shore, with 300 inhabitants; Five Cays, to the south-east, with 150 inhabitants; and the Bight, on the northern shore, to the eastward of Blue Hills. The centre of the local sponge industry is at Five Cays, where there is a station for purchasing and curing the sponges found on the Caicos Bank by the numerous small craft of the island.

West Caicos.

West Caicos, sometimes called Belle Isle, is twelve miles from the nearest point of Blue Hills, and measures more than

eight miles from north to south, with an average breadth of two miles. In the middle of the island is a large salt water pond, Lake Catherine, nearly two miles long. Its undulating surface is divided by low ranges of hills running north and south, and on the western side are the lands of the Pita Company, Limited. The original West Caicos Company, which was registered in 1891, had a varied career, passing under the management of several persons during the term of its existence. Want of experience and constant changes, coupled with costly and inefficient management, told the inevitable tale and produced the usual results. Under settled and more economical conditions, the industry bids fair to enter upon a period of prosperity for the present Company.

Roughly speaking, about 4,000 acres have at one time or another been planted in sisal, and there are now at least 800 acres in full cultivation, which area is being rapidly extended. The company is about to lease from the Government 600 acres of Crown lands on the eastern side, which will place them practically in occupation of the whole island.

The local staff consists of a manager, engineer, and two overseers, and on an average 70 people, the majority coming from Blue Hills, are employed. The principal buildings are two stations or works with extracting machines and oil engines, a large bungalow (connected by telephone with the stations), several substantial stone buildings for the staff, and barracks and houses for the labourers. The water, caught in large reservoirs, is good and plentiful, while the island, despite the occasional presence of mosquitoes, is free from malaria. A traction engine, capable of carrying 15 tons, conveys the sisal leaves to the works.

History of the Caicos Islands.

If there be truth in the saying that happy is the people without a history, the Caicos Islands should approach within measurable distance of happiness. Prior to the discovery of America, it is evident from the stone implements, utensils, and divinities found in all the islands that they were peopled at one time by the fierce race of savages known as the Caribs. How long they remained in possession cannot be ascertained, but it is probable that, as in the case of Barbados, Antigua, and other islands of coral formation, which did not, as in Dominica and St. Vincent, possess mountain fastnesses to afford them protection against the white settlers, the Caribs rapidly retired before the wave of emigration from the Old World. Sir H. W. Norman, when Governor of Jamaica, visited the group in 1884, and gave a succinct description, which cannot be improved, of their more immediate past and subsequent settlement:—"The people of the Caicos Islands are, for the most part, negroes. It is understood that they are principally the descendants of slaves brought over by

Loyalist refugees from Georgia after the declaration of independence by the United States. The Loyalist settlers constructed substantial stone houses and made roads, traces of which still remain. They had houses and raised crops, but the settlers have long since disappeared. It is believed that some insect destroyed their crops, and that this led to their departure. The blacks who remained relapsed into something like savagery."

After the proprietors had abandoned the plantations, the land, with the exception of the most favourable parts, requiring the least amount of labour and exertion for raising crops, became covered with bush. The former slaves became squatters, and continued to grow maize, sweet potatoes, and other ground crops, which, in good seasons, would suffice for their own consumption. In some of the cays, the inhabitants supplemented the produce of the soil by what they could obtain, in the way of salvage or otherwise, from the numerous wrecks which used to occur near their shores. The hoary-headed chestnut, inevitably repeated in all whaling and wrecking districts throughout the West Indies, of the parson appealing to his congregation for a fair start to enable him to share in the spoils, is, of course, attached to the memory of some local cleric long since departed. Although wrecks are now of comparatively rare occurrence, the occasional cry of "Wreck" still appeals to many ears with equal force as the word "Rats" to a terrier. The erection of the lighthouse at Grand Turk seriously damaged the chances of gaining a livelihood in this manner, and a former Commissioner had, in one of his reports, to bewail the fact that there had been only three wrecks during the year. This condition of affairs continued with little variation far into the latter part of the past century, when more attention, probably aroused by the frequent demands upon the Government to send relief supplies whenever the crops failed during periods of drought, began to be paid to the possibilities of establishing other industries in addition to the mere growing of ground provisions.

Industries other than Salt Raking.

From the tabular statements below it will be seen of what recent date any progress has been made in the development of new industries:—

Comparative Statement of the Value of the Principal Exports other than Salt from the Dependency, 1887–1906.

Year.	Sisal.	Sponge.	Turtle Shell.	Dried Conchs.
	£	£	£	£
1887	—	282	56	—
1888	—	287	230	92
1889	—	249	400	—

Value of the Principal Exports—cont.

Year.	Sisal.	Sponge.	Turtle Shell.	Dried Conchs.
	£	£	£	£
1890	50	181	30	78
1891	11	1,250	37	41
1892	25	940	77	—
1893	—	618	176	—
1894	420	218	62	44
1895	620	552	150	69
1896	1,047	957	230	6
1897	2,539	4,484	276	—
1898	2,902	982	799	—
1899	7,594	2,004	823	111
1900	5,081	3,951	652	190
1901	6,551	9,277	937	186
1902	7,101	1,961	547	313
1903	6,488	1,253	43	268
1904	6,887	1,414	151	434
1905	5,803	2,223	533	656
1906	5,605	2,418	1,768	509

The pursuit of these industries within the Dependency is confined almost entirely to the Caicos Islands. Ranking next in importance to salt raking and sisal cultivation, come sponging, turtling, and conching.

Sponging.

At present there are three sponging establishments in the Caicos Islands; at Cockburn Harbour, Dellis Cay, and Five Cays sponges are purchased, cured, assorted, baled, and shipped. The gathering of the sponges from the Caicos banks is carried on by more than fifty local sloops, belonging mostly to Blue Hills, each of which employs three to nine men, according to the number of boats on board. The best months for sponging are April, May, September, November, and December. After being cured, the sponges, carefully graded, are pressed in bales, averaging 50 lbs. in weight, and exported. They are bought at the three stations in two strands of 15 pieces each, the total weight being 1½ to 2 lbs. Although inferior to those imported from the Mediterranean, these sponges find ready sale, at remunerative prices, in the United States.

Grade.	Local Prices per double strand.	Prices in New York per double strand.
	Cents.	Cents.
Sheep's Wool	50–125	70–250
Reef (local)	20–25	75–120
Yellow and Hard Head	11–15	30–40
Velvet	10–12	40
Grass	10–12	20–40

Turtling.

Turtling is followed for the sake of the shell of the hawksbill, and, in consequence of the lack of local enterprise and knowledge, is mainly in the hands of the owners of the Bahama schooners, which come in large numbers into these waters during the season. Legislation is necessary for establishing a close season, or else the turtle will soon be rarely seen, for, in addition to its naturally shy habits, the modern contrivances for entrapping them are so ingenious as to leave the turtle, when once seen, little or no chance of escape.

Conching.

Conchs are a favourite article of diet among all classes in the Dependency, and, properly dressed and cooked, can be made exceedingly palatable. When dried, they are exported in large quantities to Hayti, where they find a ready sale. Occasionally, those engaged in the trade find inside the conch shells pink pearls, for which high prices are obtained.

Cave Manure.

The bat manure caves at East Caicos and Conch Bar, in the Grand Caicos, have long since been exhausted.

Making of Baskets.

Baskets, hats, and ropes are made in small quantities from what is locally known as the white top palm.

All the foregoing industries, however valuable they may be as supplementary means of livelihood, are but sources of uncertain and intermittent gain, and do not offer the constant employment necessary for the educative and progressive development of the people.

Minor Agricultural Industries.

Reverting to the agricultural condition of the islands after the departure of the loyalist refugees, the labourers took, as has been said, possession of such lands as appeared likely, with the minimum of work, to produce sufficient food for their daily wants. The spots chosen were, if necessary, cleared by burning the bush and undergrowth, with the natural and inevitable result that the soil, in the course of a few years, became exhausted, for manuring, as involving too much trouble, was not practised by the squatters. As soon as the soil in one spot became unproductive, another was selected, and the same destructive process of cultivation repeated. Not until the islands have been surveyed and the labourers confined to their own holdings, will the evils of the squatting system disappear, and, even then it will be difficult, except at considerable expense, to prevent the Crown lands being cleared and worked, surreptitiously.

The problem to be solved is to find some form of cultivation which will provide, throughout the islands, regular wages and employment, render the inhabitants less dependent upon the precarious crops now raised, and terminate a demoralizing state of affairs tending to the ultimate ruin of the land. Each Commissioner has, in turn, made efforts to solve this perplexing problem, and the introduction of sisal has gone far, in one or two places, to ameliorate the situation. Before the commercial possibilities of sisal were fully realised, Mr. (now Sir Robert) Llewelyn entertained sanguine hopes that, if agriculture were encouraged, the land in the Caicos Islands could be made to yield profitable results. With that view, a tract of land at Kew, North Caicos, was purchased on which to start a Government fruit and vegetable plantation, and the services of a young Jamaican, who had practical agricultural experience, were engaged as instructor, to teach the people improved methods of cultivation. Many vegetables, such as cabbages, tomatoes, cucumbers, and onions were planted, and, for a time, the prospects of the scheme appeared encouraging. But the experiment lacked the elements of success. It was an almost impossible task to induce men accustomed to the irregular life of wrecking and salt raking to realize that it was worth the trouble to exercise the patience and to submit to the monotonous routine necessary for remunerative results in husbandry. In a semi-official diary of his work, the instructor, who arrived at Kew in October, 1883, ingenuously throws much light upon the causes tending to the failure of this venture. In the first months after his arrival rain appears to have fallen in abundance, and the planting of fruit trees and vegetables went on apace. In the early months of the ensuing year, however, a drought set in which, with other factors, contributed to the disastrous issue, as the following extracts from the diary naively show. Speaking of some of the small landowners, who had apparently taken up the project with plausible enthusiasm, the instructor says:—"These men must either go sponging, steal, or starve, for they have not enough provisions to keep themselves for more than two or three months, and the Government or somebody else has to find their families. They go off sponging yearly, and only make enough to feed themselves when away, and leave their wives and children to starve and work. As soon as it is time to gather the crops, they return home and only remain long enough to eat it all up." Later on great difficulty in shipping what did come to maturity arose, in consequence of the irregularity in the arrival and departure of the local sloops. On one occasion, the instructor writes he had "100 boxes of tomatoes ready to be shipped by a sloop which arrived last night. The captain says he will not be able to leave for three days. The tomatoes will all be spoiled, as they will not get up in time to meet the steamer." After several months of disheartening experience, he reports shortly before his departure, "I am

afraid we never shall be able to do anything with tomato cultivation, unless we have better shipping facilities. All the young fruit plants are dying: onions, tobacco, pease, &c., are quite gone," and he quaintly adds, "I expect *I* shall go next, if we do not get rain soon."

Disastrous though the experiment proved, several valuable lessons, from the *reductio ad absurdum*, were taught, namely:—

(1) That, with the best soil, the Caicos Islands could not, owing to the absence of steam communication, compete, even in the Grand Turk market, with the neighbouring fruit-producing islands of Jamaica and San Domingo.

(2) That the frequent and prolonged droughts precluded any certainty of success with regular profits in the cultivation of fruit and vegetables usually in demand in outside markets.

(3) That the inhabitants were not sufficiently trained in the methods of *la petite culture*.

(4) That, in view of the irregularity of communication, it was necessary to seek out for cultivation a product which could resist periods of drought, and, when gathered, would not deteriorate by long storage.

In considering what agricutural industry would be suitable to the climate and other conditions of the Caicos Islands, the attention of the Commissioners about that time was directed to the possibilities of the profitable cultivation of sisal, plants of which had already been introduced into the islands about the middle of last century from Crooked Island, one of the Bahamas, by Mr. Horatio Stubbs. Captain Jackson, fully alive to the important results which might accrue, if once the cultivation could be established, sent on for verification to the Royal Gardens at Kew specimens of fibre plants found in the group. Upon examination, one of the specimens was identified by Dr. (now Sir Daniel) Morris as the true Pita, or sisal of commerce (*agave rigida*, var. *sisalana*). In his annual report, 1889, Captain Jackson, after depicting the precarious living derived from salt raking, writes:— "The fibre industry offers no such uncertainty. The pita, which of all the varieties of the agaves grows most readily here and arrives earliest at maturity, gives, as well, the strongest and best fibre now known in the market. Unhurt by storm or calm, rain or drought, these plants offer the perennial harvest in return for less labour, and, in comparison with the value of the crop, for far less outlay than any other product of the soil. . . . The soil here is singularly adapted for the pita, and I have seen numbers of plants, only three years old, with fully matured leaves, six feet in length, furnishing fibre of the highest quality. There are still large tracts of land of the very best kind for this cultivation which could be obtained from the Government, and there is also a large quantity in the hands of private individuals, who, not being possessed of

capital necessary to develop the resources of the soil, would gladly part with their land on very reasonable terms. I can confidently assert that no islands offer a better field than these for the fibre industry. . . . If public attention can only be directed to the very unusual facilities afforded by these islands for this cultivation, I believe that capitalists would readily avail themselves of an investment offering such exceptional terms, while, in the sure and continuous employment thus opened to them, the people of the Caicos Islands would find relief from the precarious existence they now lead in trying to grow food crops, in spite of almost annually recurring droughts and in anxiously watching for wrecks, which happily grow fewer each year."

Immediately after the reports of Captain Jackson and Dr. Morris, considerable progress was made during 1890 in developing the industry. The work of clearing West Caicos, a large portion of which was leased from the Government with conditions of a grant in fee simple being obtained at any time after two-thirds of the land had been planted in sisal, was begun in August, 1890, and in March, 1891, 500 acres had been cleared. So well did the plants thrive that some of the larger ones planted in October put out suckers in March of the following year. Had it not been for the employment thus furnished, there would have been much suffering in the Caicos Islands, for one of the frequent droughts happened to occur at this time. In 1891, the two companies, the "West Caicos Fibre Company, Limited," and the "East Caicos, Limited," were registered under the Companies Ordinance, and several private properties were planted. A small trial shipment of sisal was made to New York, and the first quality realized a halfpenny a pound more than the second quality, and equal price to the best from Yucatan. As a result of the work necessary for the cultivation of sisal, the Commissioner, in 1894, was "able to report that for the first time for several years there was an absence of any distress among the inhabitants of the Caicos Islands such as to call for the distribution of the usual annual dole."

In the Caicos Islands there are many thousand acres of Government land, which, when the present survey has been completed, can be offered for sale and lease. In 1906, learning by two or three disastrous years the necessity for providing employment to keep the labourers from emigrating during seasons unfavourable for salt raking, two persons have obtained leases of 400 and 350 acres of Government lands at Grand Turk and Salt Cay, respectively, for the cultivation of sisal, in order to have the opportunity of providing profitable employment to keep the labourers together during seasons unfavourable for salt raking.

As the state of the market for salt continues uncertain, it becomes imperative, if not to supersede, at least to supplement,

the staple industry of the Dependency by other means. It may, therefore, be both useful and interesting, at the present juncture, to sketch briefly the history of the sisal plant, and to state, as far as can be accurately ascertained, the conditions under which the cultivation is at present carried on, the difficulties to be overcome, and the best means and methods by which success can be achieved and the industry developed to the best advantage in the Caicos Islands.

PART II.

The Sisal Plant and the Fibre Industry.

Description and uses of Agaves in general.

*Next to maize and sweet potatoes Humboldt considered the agaves the most useful of the natural products of tropical countries. Botanically, they belong to a genus of the *Amaryllidaceae*, a family closely allied to the lilies, the inferior ovary being the distinguishing mark by which the former order is distinguished from the latter. Both families have, in most instances, abundant storage powers for plant food.

Geological formation has a direct influence upon the growth and abundance of agaves. Limestone areas, where the bed rock is exposed and has only a thin covering of soil, appear the most favourable to their development. Volcanic soils, also, in a measure, assist their growth.

The fact that agaves require years for their development has given rise to the name "Century Plant" borne by *Agave americana*; but it is doubtful if any species under natural conditions takes more than fifteen or twenty years to arrive at maturity.

Agaves have, as a rule, more or less rigid leaves, each broadly attached at the bases and terminating in a strong iron like spine. In some species, as in the *Agave sisalana*, var. *rigida*, they are long with smooth edges, while others are thick and fleshy with heavy claw-like spines at short intervals along the edges.

Uses of the Agaves.

For a knowledge of the culture and uses of the sisal plant, Yucatan is indebted to the Maya Indians, the direct descendants of those remnants of the Toltecs, who, after the fall of their empire, in the valley of Mexico, emigrated to Central Mexico and Yucatan. Among the uses, other than the extraction of fibre, to which agaves are put in Mexico, may be mentioned:—

(1) The manufacture of pulque, the national drink of the Mexicans, which is made from the juice of the pulque maguay,

* The notes on Agaves are from the Yearly Handbook of the Agricu'tural Department, U.S.A., for 1903.

or *Agave americana*. Other agaves, as the mescal, are also used to produce distilled alcoholic liquor.

(2) The fleshy bases of the mescal are prepared for food by heaping up the bases and covering them with stones and earth like charcoal pits, after which the mass is kindled. The slow roasting, which continues several days, makes the fleshy substance sweet, with a taste somewhat like that of an artichoke.

(3) The juice of the young leaves in some species is acrid, and may be used for cauterizing and antiseptic purposes.

(4) Out of most of the agaves a vegetable soap may be prepared by exposing the juice to the sun in shallow trays. The juice from the sisal lathers in salt waters and keeps the ironwork of the extracting machines bright and clean.

(5) The Aztecs used agave leaves for making paper on which to record their history.

Textile Products of the Agaves.

All agaves have series of long slender fibres extending in a thin longitudinal layer just under the surface of each leaf and terminating, as has been said, in a horny terminal spine. The length of the fibre is determined by the length of the leaf. The two districts in Mexico, Tamaulipas and Yucatan, where agaves are cultivated exclusively for fibre are of limestone formation. The former of these areas exports annually from the port of Tampico about £100,000 worth of fibre made from a wild agave (*heteracantha*), and the fibre is called the ixtle. But the chief fibre centre of Mexico is the peninsula of Yucatan, where thrives the now famous sisal or henequen of commerce.

History of the Sisal Plant.

Sisal, the commercial term applied to the fibre, is so called because it was originally exported from a port of that name in Yucatan. Up to 1871 Sisal was the only port of the district, being situated about 35 miles from Merida, the capital of the state, which is the chief centre and market of the Yucatan fibre industry. The first exportation of sisal dates from 1783, when, owing to an inadequate supply of Manila hemp, a royal commission was sent to Yucatan, but, after a few shipments, the industry lapsed into oblivion for more than half a century. In 1839, a company was formed for producing and placing the coarser fibre (*sacci*) on a commercial basis. The fibre was cleaned by native instruments, packed in bundles of 200 lbs., and sent to New York. A large prize was offered by the state of Yucatan to the inventor of an extractor, which was awarded to a Franciscan monk for a machine called the raspidor. The raspidor *" is simply a wheel like a four feet pulley, with a six inch face, furnished with pieces of brass an inch square and six inches long running across the face a foot apart. This wheel runs in a heavy wooden case. When

* Extract from an address by Sir D. Morris.

working, it makes 110 to 120 revolutions a minute. The leaf is put through a small opening at one end, and is held by a strong clamp or in the hand. In the meantime, a heavy block, like the brake of a railway carriage, worked by the foot is brought to bear on the part of the leaf hanging down, pressing it against the revolving wheel. The cleaned fibre is drawn out and held in the hand. After this, the leaf is reversed and the other end is cleaned in the same manner." From this description of the raspidor, one is forcibly reminded of the primitive graters used for extracting cassava throughout the West Indies.

About 1836, Dr. Perrine, during his endeavours to acclimatise tropical plants of commercial value in the Southern States, introduced the yaxci into Florida, whence, within a few years, it was taken over to the Bahamas, probably by Mr. C. R. Nesbitt, the Colonial Secretary of that Colony. From one of the Bahama Islands it was, as has already been mentioned, brought to the Caicos Islands by Mr. Stubbs.

Varieties of Sisal.

Growing wild in the forests of Yucatan are to be found three varieties of the species, namely, the chelem, the cahum, and the citamci, while there are two varieties of the cultivated plant, the sacci or saxqui or saqui or white agave (*Agave rigida*, var. *elongata*) with a whitish bloom on the leaves and with teeth along the edges, and the yaxci or green sisal (*Agave rigida*, var. *sisalana*) with no teeth on the edges of the leaves, which is the henequen plant cultivated on the eastern or southern part of the Yucatan peninsula, and in the Bahamas and Caicos Islands. The henequen, or green sisal, on approaching maturity, developes a flower stem from 15 to 20 feet in height which seldon produces seeds, but young plants are grown from bulbils on the pole. The more usual mode of propagation is, however, from suckers. The life of the plant is from 8 to 12 years.

Among other agaves and fibre-producing plants to be seen in the Caicos Islands is the karata (keratto or carata), locally known as the wild bamboo. The leaves of the karata are very thick but with little fibre. This agave is cultivated in Mexico for pulque, and the alkaline juice, when dried, is used for washing clothes, and, like that of the sisal plant, lathers freely if mixed with salt water. Formerly, the leaves were largely used for cleaning pewter. In many of the West Indies razor strops are made from the pith of the flowering stem or may-pole, as the brilliant golden candelabra-like spike is commonly called in Jamaica from the period of the appearance of its magnificent efflorescence.

Sansevieria plants are also to be seen, but their yield of fibre is small compared with that from sisal.

Suitable Soils.

The most productive sisal plants are those grown in land of which the geological foundation is wholly limestone, and in places where the underlying rock is covered with hardly sufficient soil to give them hold. It has been found that the fibre obtained from this kind of soil has greater tensile strength than that produced from richer lands, although the latter may be more flexible and longer in staple. But the idea, once so generally accepted, that sisal thrives best on the poorest soil, is erroneous, and has led to costly mistakes. It is true that pita or sisal will stand extreme heat and exist through long periods of drought, but there must be, in the beginning, suitable soil in sufficient quantity to commence and continue the growth of the plant. Excessive moisture at the roots will speedily cause the plants to rot.

In considering the results and experience of the cultivation for nearly 20 years in the Caicos Islands, the following general conclusions as to soils suitable for sisal may be accepted as tentatively established:—

(1) That sisal, provided the land possesses the necessary food constituents, does not require a rich soil.

(2) That, though excessive moisture in the soil resulting from defective drainage is inimical to their growth, the plants thrive best in periods of light rains.

(3) That a poor sandy soil is not congenial to the growth of full-sized plants.

(4) That limestone soils are the best for the cultivation of sisal, while excellent results may be obtained from suitable sandy land.

Cost of Clearing and Planting, and of Labour.

In some places £1 an acre with ½*d.* for each plant put into the ground is considered the average price for clearing the land, but in others £1 10*s.* is generally paid for an acre fully planted 4½ by 4½ feet.

In East Caicos the daily wages for a man are 2*s.* 3*d.*, for a boy 16 to 18 years of age 1*s.* 6*d.*, for a woman 1*s.*, and for a boy about 14 or 15 years old 1*s.* For gathering and placing near the tram track wood and suckers, the price of 3*s.* a cord and 1*s.* per 100, respectively, is paid. In West Caicos 1*s.* 3*d.* to 1*s.* 6*d.* is paid for weeding a task, the fourth of an acre.

Propagation.

Sisal plants, as has already been said, may be propagated from seed, cuttings or suckers.

*" The flower panicle or 'pole' is the huge inflorescence sent up from the heart of the plant. It is 15 to 20 feet high and sometimes higher. The base is about 4 inches in diameter, and it gradually tapers into a fine slender rod. The branches are carried in the upper part only; they come out almost at right angles. The height of the panicle is about 12 to 14 times its width and the largest branches are near the middle. In *Agave sisalana* the flowers are seldom followed by seed-pods; exceptionally, one or two may be produced. When the flowers have fallen, the pole does not immediately die away; on the contrary, at the end of the branches, in the axil near the flower scar, there are numerous small bulbils which eventually develope into plantlets of considerable size." Except in the early stages of the industry this method of propagation has never been followed, for too much time is lost. Again, as Sir D. Morris points out, "pole plants, produced as an expiring effort of the parent plant, are not always calculated to produce such robust plants as suckers."

Sometimes, the top of a nearly worn out plant, just before it poles, is cut, and, after being trimmed of all but the newest leaves, is planted in the ground. This method, though rarely employed, is said to cause early production.

When a plantation is fully established, the most economical method of propagation, and that invariably adopted in the Caicos Islands is by suckers which appear for a year or two, about two or three years after the parent plant has been put in, and grow around the stem. As these suckers draw nutriment from the plant, they should, when not required for propagation, be removed, for they cause the parent plant to produce fewer and smaller leaves and hasten its period of maturity. If intended for propagation, the suckers should not be removed until they have attained the height of at least 18 inches. Great care should be taken that the suckers, which are planted with iron drills, be kept in an upright position by placing stones as a support at the base. As a proof of the marvellous vitality of the plant, suckers when planted even after remaining for the lapse of months out of the soil will grow.

Distance for Planting.

Sisal is planted in rows the same distance apart and with equal spaces between the plants in the row. In Yucatan, sisal was planted about 9 feet by 9 feet with intervals of 15 or 18 feet at certain distances to allow the leaves and young shoots to be carted out. The tendency, however, is to plant more closely than formerly. At East Caicos, the distances between the rows and plants have been more and more reduced, as experience has proved the feasibility of the reduction by gradual stages, namely:—

* Extract from an address by Sir D. Morris.

Stage.	Distances between rows and plants.
First stage	12 feet by 12 feet.
Second stage :—	
First row ...	10 „ „ 4 „
Second row ...	10 „ „ 4 „
Third row ...	12 „ „ 4 „
Third stage ...	8 „ „ 8 „
Fourth stage ...	6 „ „ 6 „
Fifth stage... ...	4 „ „ 4 „

In West Caicos the present planting is 4½ feet by 4½ feet. On the one hand it is contended that close planting will not only increase the production, but will also keep down the weeds; on the other hand, the objection is made that during heavy winds, the leaves of one plant, especially when placed in favourable soil, are liable to injure those of its neighbour. Owing to the character of the soil in these islands, uniform distances are often out of the question, and this is a point seriously to be considered when estimating the yield per acre, and considerable allowance should be made. For instance, planting 4½ feet by 4 feet and 4 feet by 4 feet apart would give, provided it were possible to maintain equal distances, 2,175 and 2,722 plants to the acre, but, as a rule, it would be wise to reduce these numbers by at least one-third, and estimate about 1,500 and 1,800 plants to the acre, respectively.

Cultivation.

Frequent and careful weeding should be given during the early periods of the growth of the plant, and, at least, two weedings a year should, on an average, be allowed during the gathering stage. Horses, mules, and goats may be pastured within the enclosures, but pigs root up the young plants. Cows, more particularly when there is a deficient supply of good water, show a special predilection for the young and succulent leaves at the base of the plant. In some places this taste, perhaps acquired by the necessity for going long distances to find water, does not exist, as at Bellevue, in North Caicos, where good water is to be had in the drinking ponds of the old plantation within easy reach.

Personal observations, made when comparing what are called the different cultivations, that is the first, second, or third time of planting, convince me that, sooner or later, the question of manuring and replenishing the land will become of urgent importance, but fortunately the means, though neglected, of providing cheap fertilizers are at hand. The bagasse, or pulp remaining after the extraction of the fibre, contains a considerable quantity of potash, and would, after being mixed with earth or vegetable matter and well rotted,

furnish a most useful manure or mulch. At present there exists so deplorable a lack of appreciation of the value of bagasse for fertilizing purposes that a tram line was laid down at one place for the sole object of "dumping" it into the sea. Sea weed in large quantities is also to be had close to the land, suitable and available for sisal. So important is the matter for consideration that I have been induced to forward to the owners and managers of sisal plantations a circular embodying the following scheme of elementary manurial experiments with the hope, not only of gaining definite knowledge, but of affording an object lesson on the importance of manures to the small owners.

PROPOSED MANURIAL AND OTHER EXPERIMENTS FOR SISAL PLANTS IN THE TURKS AND CAICOS ISLANDS.

1. The initiation of the proposed experiments is due to the wish to ascertain :—

(*a*) How far and under what conditions bagasse and other manures can be applied profitably in the cultivation of fibre, and.

(*b*) Whether close planting, while increasing the number of trees to the acre, affects the growth and vigour of the plants, and thereby the yield of fibre.

2. At present, the bagasse which remains after the extraction of the fibre is practically wasted, while seaweed, which, in many places close to the sisal cultivation, is obtainable in abundance and pen manure are also never utilized. Sooner or later, the land will, under present conditions, become exhausted or cease to yield a remunerative quantity of leaves. When this happens, the cultivators will have either to extend, if possible, the area of cultivation or allow the land a prolonged rest, which means outlay or loss of time and money.

3. From patches of land to be found in the fibre cultivation where bagasse has, by accident or otherwise, been placed, it is obvious that the growth of the plant is thereby considerably increased.

4. With regard to the distance of planting the suckers, it is thought, on the one hand, that close planting will keep down the weeds, but, on the other hand, it is contended that the plants, in high winds, may be injured by their neighbours.

5. The general plan of the proposed experiments, therefore, is directly designed to obtain information, as accurate and definite as possible, upon the following points :—

(1) To what degree does the application of (a) bagasse by itself (b) bagasse mixed with seaweed, and (c) bagasse mixed with pen manure, increase the growth and yield of sisal plants.

(2) Whether the cost of returning the bagasse to the land or of otherwise manuring the plants would not be fully compensated by the increased yield of the plants.

(3) Whether close planting increases materially the yield of fibre per acre.

6. For the purposes of these experiments, an acre of land should be divided accurately in 4 plots (208 feet by 52 feet) for each of the three series of experiments, namely, (1) land planted 6 feet by 6 feet; (2) land planted 5 feet by 5 feet; and (3) land planted 4 feet by 4 feet. The four divisions or tasks in each acre of each series should be treated as follows :—

A. Plot.—No manure.
B. „ —Manured with bagasse alone.
C. „ —Manured with bagasse and seaweed.
D. „ —Manured with bagasse and pen manure.

7. In conducting these experiments the following directions should strictly observed :—

(1) That the bagasse, seaweed, and pen manure should be allowed to rot before being applied.

(2) That the quantity of bagasse or manure to be applied to each patch should be the same, and carefully weighed.

(3) That the quantity to be applied to each patch should in Plot B be the weight of the bagasse taken from a quarter of an acre, and in Plots C or D should be the bagasse taken from the plot plus an equal quantity of seaweed or manure.

(4) That the leaves on the different plots should be cut simultaneously be kept separately, and weighed before being put through the extracting machine.

(5) That the fibre and bagasse should be weighed after extraction.

(6) That a careful account of the time and money expended in placing the bagasse or manure on the land should be kept.

(7) That the plots selected should be on average land, and not on very poor or highly yielding soils.

Fortunately, the local enemies of the sisal plants are few and conspicuous, the chief being what are known in the Caicos Islands as the chainy vine and white bush, which grow round and close up the leaves, throttling the life out of the plant, and the poison cherry, of which the sharp prickles on the leaves rub up against those of the sisal plants and injure the fibre inside, especially during high and boisterous winds. A small spider, too, attacks the leaves which have otherwise been broken or injured.

Life and growth of the Plant.

In the soil of the Caicos Islands plants are ready for gathering within three or four years after the first planting and within five years after the second planting, which seems to prove sufficiently that certain virtue is taken out of the land during the first period of cultivation, and should be replaced. Great care should be taken against the premature cutting and reaping of the leaves, for the shock is prejudicial to the growth and vigour of the plant. When the leaves drop and assume a horizontal position, it is almost certain indication that they should be cut. The cutting of the leaves retards poling, which may take place any time from four years and upwards. In Yucatan, it is the custom to remove the pole as soon as it appears, and the plant is said to live 15 years, but, in the Caicos Islands the average life of sisal, under present conditions and methods, may be put down at eight years, and re-planting has to take place every eighth year.

Yield.

In Yucatan the yield of fibre is frequently 50 lb. of fibre per 1,000 leaves. There are leaves giving 100 lb. per 1,000, but this is exceptional. From the fifth to the seventh year the

average yield of good plants is 75 lb. per 1,000, and an average production of half a ton to the acre. With improved machinery it is estimated that it may, in the future, be possible to extract a minimum of 7 to 8 per cent. of fibre from the leaves.

In the Caicos Islands, 120 leaves may be taken as the average yield during the life of a plant, each leaf weighing from ¾ lb. to 1 lb. In the first year of gathering the leaves two or three cuttings may be made according to the quantity of rain, and, subsequently, one cutting a year. The average number of leaves at each cutting may be roughly calculated at:—

First cutting	30 to 40
Second cutting	10 to 15
Third and subsequent cuttings ...	7 to 10

Each plant should, therefore, produce, on an average, 15 leaves a year during its lifetime. With 1,500 plants to an acre there would be 22,500 leaves to be gathered annually. Taking the weight of each leaf at ¾ lb. to 1 lb., and a minimum of 4 per cent. of extracted fibre, 1,000 leaves should give from 30 to 40 lb. of dry fibre. Each acre yielding 22,500 leaves would give, according to the weight of the leaves, an annual average quantity of 675 to 900 lbs. of fibre.

Harvesting the Leaves.

In a lecture given on his return from the Bahamas, Sir Daniel Morris includes some excellent advice with regard to the harvesting of the leaves: "It is," he notes, "of the highest importance that the fibre should be extracted from the leaves immediately they are harvested. When agave leaves are allowed to be exposed to the sun and air, after being cut, they lose their natural moisture, which is useful in cleaning them, and the juices set up a fermentation which, if continued long, will seriously injure the quality of the fibre. A practical rule for the working of a sisal plantation would be that the leaves cut in the morning should be cleaned the same day, and that the leaves cut in the afternoon should be put in hand the first thing in the morning."

Extraction of Fibre.

The chief machines for extraction now used are two of American invention, the Todd and the T. Albee Smith, which are driven by oil or steam power engines. At East Caicos the oil engines are the 10 American horse power, equal to 5 nominal English horse power; while at West Caicos is one of 18 English horse power, of the firm of Crossley.

For the Todd's Patent Fibre-Cleaning Machine the advantages claimed are:—

(1) Construction, strength, design, durability, and every part made interchangeable so as to be easily replaced in case of accidental breaking.

(2) Power. Only 10 horse power (American) required for the machine to be run at full speed.

(3) Production. Over 60,000 leaves can be cleaned in ten hours to produce fibre, after being washed and dried, at a yield of $4\frac{7}{8}$ per cent.

(4) Leaves are handled only once in the cleaning, and after passing through the machine are free of all bagasse and entanglement.

(5) Experienced help is not required to run it, and boys, women, or girls can be employed in the operation.

The able engineer in charge at East Caicos has made many and important alterations and improvements to the Todd machine, which tend to simplify the process of extraction and to reduce to a minimum the noise. Among the improvements he has effected are:—

(1) The leaves instead of being soaked in vats are now washed in the machinery by a perforated pipe being placed over each scutching wheel.

(2) Six knives are now used instead of 12 with equal effect.

(3) Cast-iron knives are used in place of bronze, which means a great reduction of expenditure.

(4) The surface of the exposed knives has been reduced from 8 to 6 inches.

(5) The inclined shaft has been done away with, as unnecessary.

(6) The gear wheel has been removed and a belt drive substituted.

(7) Friction rollers have been put in place of the friction roller chain.

(8) A third (and extra) feed chain has been introduced to carry the leaves better.

For the T. Albee Smith machine it is claimed:—

(1) That it will deal with leaves shorter than 30 inches, and will extract 1,000 to 1,200 lb. of fibre a day, the yield being from 5 to 6 per cent.

(2) That it requires but few repairs, and costs about $800.

Drying and Baling.

The fibre is dried by exposure to the sun and air for several hours, but rapid drying is to be avoided. During the bleaching process the greenish tinge disappears. The fibre is then sorted and made up into bales of about 400 lbs. weight, and 20 to 22 cubic feet measurement. A baling press costs £40 to £60. Formerly, the bales were covered with burlap, but now it is considered unnecessary to bind them with anything but ordinary rope.

Grading.

As in too many other enterprises in the West Indies, great harm has been done to the fibre industry by inattention to proper grading, and by attempts to realise premature returns from the cultivation. If the sisal business is to be a permanent success, those engaged therein will have to be scrupulously careful in grading their produce, and in sending on uniform qualities year after year. It is folly to suppose that purchasers are so blind to their own interests as to pay for inferior qualities of fibre prices equal to those given for the highest grade. Buyers, especially in large markets, naturally desire to be certain of what they are purchasing, and this can only be secured by confidence in accurate grading. Having trust in their exporters, purchasers will, on the strength of that confidence, be able to sell, at good prices, fibre, even before it reaches the market. On the other hand, a dealer distrusting his consignment is put to the trouble of unpacking, grading, and re-packing the fibre, and this additional handling increases the charges, and does not add to the value of the produce. In addressing a meeting of cotton planters at Barbados, Mr. Lomas Oliver, the expert sent out by the British Cotton Growing Association, made, on the grading of cotton, the following suggestive remarks, which are equally applicable to the grading of fibre: "Those planters who intend producing a really good quality of cotton should put their name, or the name of their estate, upon the bags containing the first grade of cotton, and some distinguishing mark upon their second grade. In our trade, if a cotton of a certain mark has been found to yield satisfactory results, the spinner will look out with interest for the same mark of cotton again, and, in two or three years, that planter, if he keeps up a regular standard of quality, will have established a reputation which will prove a very valuable asset." From these remarks it will be readily understood of what vital importance it is for ultimate and permanent success to have absolute honesty and integrity in grading the fibre. On the whole, I am glad to say that, in the past, attention has been paid to this essential point, but instances have occurred where exporters eager, even at the risk of the future reputation of themselves and others, to make the momentary but questionable profit out of ill-assorted fibre, have disregarded the elementary principles of honest commerce.

General Conclusions.

Before embarking on any industry it is well to study carefully all the circumstances connected therewith, and to weigh the probable chances of success or failure. In the sisal industry there exist three essential conditions necessary to arrive at profitable results, namely:—

(1) Capital, on account of the somewhat expensive machinery for extracting the fibre, and the length of time which must

elapse before a return is made for the expenditure of several years.

(2) A large area of land, especially where the soil is poor, to maintain the cultivation in regular succession.

(3) An abundant and cheap supply of labour.

The last two conditions can be fulfilled in the Caicos Islands; capital has to be introduced.

It may not be out of place to consider, briefly, and summarise what may be regarded as the advantages and disadvantages associated with the industry.

Advantages.

(1) Land may be purchased cheaply or obtained at a nominal rent, 4*d.* per acre, in the Caicos Islands.

(2) The experience which, in the initial stages of all undertakings, has to be purchased by inevitable mistakes at considerable cost, is now available.

(3) It may be thought that, if more fibre is produced in these islands, the prices may fall, but it is improbable that the largest possible output of the Bahamas and of the Caicos Islands would ever be sufficient to exert an appreciable effect on the question of supply and demand in the fibre market. On the contrary, it is important that the export of fibre from the Bahamas and these islands should be increased to justify a separate name (*e.g.*, as Sea Island in the case of cotton) to distinguish it from that produced in Yucatan. At present, the price of the fibre exported from these islands is, in spite of its superiority, governed largely by that obtained for the inferior qualities made in Mexico.

(4) The universal usefulness of, and the enormous and continuous demand for, sisal, preclude the possibility of overproduction. In 1905, the total export of sisal from Mexico amounted to 597,289 bales, weighing 212,375,231 lbs., of the value of $29,625,430 (Mexican).

(5) When once the industry is firmly established and the initial stages passed, remunerative prices are always obtained for sisal properly extracted and graded. As an index of what returns may be expected, the figures of the last 18 years, given below, may be instructive:—

(1) Lowest price obtained, $2\frac{5}{8}$ cents per lb., equal to £12 5*s.* per ton.

(2) Highest price obtained, $8\frac{1}{2}$ cents per lb., equal to £39 13*s.* 4*d.* per ton.

(3) Average price, 6 cents per lb., equal to £28 per ton.

(4) Present price, $6\frac{7}{8}$ cents per lb., equal to £32 1*s.* 8*d.* per ton.

A rough estimate of the cost of production, exclusive of purchase or rent of land, machinery, freight, supplies, commission, and interest, but inclusive of local salaries and wages, may be placed at £7 to £10 a ton.

(6) The unconquerable vitality of the plant and the fact that the fibre, when extracted, does not deteriorate by lengthy storage, are important matters for consideration.

(7) As it is improbable that the sisal plant would thrive within a "frost-visited" region, the possible area of cultivation is limited, and, as has already been indicated, the plant requires a peculiar soil for its most favourable and profitable growth.

(8) Looking at the industry from an official standpoint, its development would put to profitable use large tracts of land unsuitable for any other cultivation, and would afford, on a large scale, employment to many who, even now, have oftentimes the alternative between starvation and emigration.

Disadvantages.

(1) Chief among the drawbacks attached to sisal cultivation is the slow return for the outlay, because four or five years have to elapse after planting before the fibre can be placed on the market.

(2) The soil suitable for sisal is such as to preclude the possibility of catch and rotation crops, and there are no by-products to aid in meeting the expenditure of the long years in the early stages.

(3) The isolated life and peculiar conditions of the Caicos Islands are not likely to prove attractive to those desirous of settling and managing their own properties. It is far more satisfactory and economical to place in charge men acquainted with local conditions and the habits and character of the native labourer than to send out as managers men who, however well qualified they may be to supervise machinery, are ignorant of the elements of tropical agriculture. Unaccustomed to the climate, food, and people, the new-comers, although receiving double the salary given to a man born in the place, speedily grow dissatisfied, and the chances of success are hampered by constant changes in the management and by the pet schemes and experiments of each new manager.

Conclusion.

When the survey of the Caicos Islands is complete and the extent of the Crown lands determined, it will be worthy of consideration to take measures for extending this important industry, which offers great possibility to the labouring population of the Dependency, and seems to assure large and certain profits to capitalists content to await patiently their returns and to allow the cultivation to be conducted on sound and economical principles.

COLONIAL REPORTS.

The following recent reports relating to His Majesty's Colonial Possessions have been issued, and may be obtained from the sources indicated on the title page :—

ANNUAL.

No.	Colony, &c	Year.
513	Basutoland...	1905–1906
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516	Northern Nigeria	1905–1906
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518	Leeward Islands	,,
519	East Africa Protectorate...	,,
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MISCELLANEOUS.

No.	Colony.	Subject.
35	Antigua and St. Kitts-Nevis	Sugar.
36	West Indies	Work of Imperial Department of Agriculture.
37	Ceylon...	Mineral Survey, 1904–5.
38	St. Helena	Agriculture.
39	Jamaica	Cayman Islands.
40	Northern Nigeria	Taxation of Natives.
41	East Africa Protectorate ...	Report on Kenia Forests.
42	Ceylon	Mineral Survey, 1905–6.

COLONIAL REPORTS—MISCELLANEOUS.

No. 55.

CAPE COLONY.

REPORT ON THE RIETFONTEIN AREA

BY

MR. J. F. HERBST.

Presented to both Houses of Parliament by Command of His Majesty.
October, 1908.

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No. 55.

CAPE COLONY.

REPORT ON THE RIETFONTEIN AREA.

Office of the Civil Commissioner,
Gordonia,
28th February, 1908.

SIR,

I HAVE the honour to forward herewith a report received from the Assistant Resident Magistrate, Rietfontein, dated the 12th instant, upon the circumstances and state of affairs generally appertaining to his Sub-district.

I have, &c.,

DAN MAY,
Civil Commissioner.

The Secretary to the Law Department, Cape Town.

Office of the Assistant Resident Magistrate,
Rietfontein,
12th February, 1908.

SIR,

IN view of the great interest now manifested in the development of the resources of our country I feel no diffidence in submitting for consideration the impressions I have formed of a country and its people so little known to the general public.

With four years' experience of a portion of that large tract of land popularly known as the Kalahari Desert, some authority to speak on its capabilities and possibilities will, I venture to hope, be conceded me. Even should my venture only serve to keep the question of the opening up of the Kalahari a live one it will have amply answered its purpose for its chief claim to attention is the fact that it is the product of an unbiassed mind, free from any taint of exploitation and disinterested—in a material sense, of course.

Various schemes for the development of the Kalahari have from time to time been placed before the Government, but with every respect for the opinions of the writers they have been of too speculative a character and the difficulties of the situation have not been sufficiently appreciated.

Physical features.

The area under my jurisdiction, with which this report mainly deals, comprises the Northernmost Ward (No. VII.) of the Fiscal Division of Gordonia, the most northerly point of which is over 400 miles from Upington, the chief town. While principally composed of the Vilander Territory (called "Mier") this area includes also a through slice of the Southern Kalahari. Only a very small part has been surveyed, the rest is waste land when tsamma fails. A fair idea of its size may be gathered from the fact that its northernmost point is over 200 miles from Rietfontein Court House and its easternmost point about 150 miles, as the crow flies. It is separated on the West by the 20th degree of East Longitude from German South-West Africa; on the North by the Nosop and Molopo Rivers from the Bechuanaland Protectorate; and on the East by the 22nd degree of East Longitude from the District of Kuruman. Rietfontein, a mission station two miles from the German Border, is the seat of Magistracy.

To render this report more lucid I attach a tracing of a map* of this area amplified by information gained locally.

As regards the country generally a bird's-eye view would reveal two distinct features, the one a region of hard stony

* Not printed.

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veldt, consisting of plains and flat-topped ridges at wide intervals, the other an immense expanse of sand, covered with grass, and undulated like the ocean in a heavy swell, the dunes forming the billows. Like tongues of flame the red sand dunes can be seen impinging in long irregular lines on the hard veldt region, and one would imagine that in course of time they would overrun the country, but for some reason, not apparent, a halt was called and no man can remember any encroachment in his time. The dunes run for the most part in parallel lines East and West, the intervening valleys corresponding to the troughs of the ocean. These, called "straate" (Dutch for streets) range from 100 yards to 2 or 3 miles in width. On the edges of the sand belt the dunes are more uniform in their relation to each other and also higher, rising sometimes to over 100 feet. Here the "straate" are broader than in the interior where often the country has the appearance of a choppy sea, the lines of dunes being broken up into irregular and independent mounds. The southern slope of the dune is the steeper, conveying the impression that the sand was brought by north winds, the prevailing summer wind.

The sand is heavy and composed largely of white angular grains of quartz in a fine reddish brown sand, the latter giving the colour to the mass. The "straate" are generally level and have a fairly hard surface often broken by protruding boulders of limestone. These always occur where there are flat expanses of sand. Except on the very ridges of the highest dunes and in the brak pans, the sand is covered with a tall grass so that it is not moved at all to-day.

The general colouring of the picture changes with the seasons of which we really have only two, a protracted summer and a short winter. After the first summer rains the setting is light to dark green and from tawny to pale yellow in winter, when the grass has ripened. After the grass has been eaten short or destroyed by the wind, the reddish colour of the sand predominates, forming, with the deep blue of the winter sky on the horizon, a truly perfect combination.

Dotted about in the sand, huge basins will be noticed. These, called "pans," are generally circular in appearance if bounded by the dunes and irregular when situated in the broad "straate." They are ordinarily from about 100 yards to a mile in diameter with beds as level as a billiard table and perfectly smooth up to water level. In some, white lime predominates, which gives them a white silvery appearance, others have a surface of reddish brown loam. After rains they are covered with a few inches of water which generally becomes quite brak after a few days. Towards the basin of the Molopo River flats of sand are found with peculiar flat rocks of limestone a few inches underneath. Here there are huge depressions, with quite abrupt walls, resembling artificial excavations, clearly at one time huge lakes, but now perfectly dry. Two of these, Miershoop Pan and Koopan, are very deep. The

slope of the ground shows an inflow into each, but no outflow. There are also two large salt pans, one on Crown land and one on private property. The latter is about 3,000 morgen in extent and is capable of an output of thousands of bags yearly. It is sold at 2*s*. per grain bag at the pan. At Haakscheen there is another large pan which is practically a huge dam, as it is formed by the storm water of the hard veldt region running up against the sand dunes. When full it forms a sheet of water 16 miles in length and 6 in width, and attracts large numbers of water fowl. It is so shallow that it only retains water for about three or four months, by which time it is quite brak. It is a curious fact that just outside the pan numerous wells, giving pure fresh water within 6 feet of the surface, have been sunk.

The general slope of the land is in a southerly direction with a depression towards the centre, where lies the bed of the Molopo River after being joined by the Nosop—with its tributary the Onap—out of German territory, and the Kuruman River from the East. All these are perennial streams in their country of origin, but only the Kuruman River has been seen to flow here by any living man. This occurred in March, 1894, when, owing to heavy rains in the Vryburg District, a vast volume of water reached here and flowed as far as Abiquas Puts, where it lost itself amongst the sand dunes in a new course, forming a huge lake for a while. The stench which thereafter arose from decayed fish (barbel) will not soon be forgotten. Judged by the size of their beds and the thick belt of acacia and other trees still growing, sometimes to a breadth of two miles on each side of what was once the stream, these rivers must have borne large streams of water. No more pleasing scene can be imagined than a sight of these sinuous belts of green bush affording shade to the weary traveller emerging from the treeless desert. Before the advent of man the shady boughs afforded protection to all kinds of game from the fierce rays of the noonday sun, and along the less frequented Nosop River, herds of gemsbok and the rare hartebeest are still occasionally disturbed by police patrols. The "Kameeldoorn" tree (acacia) is the one chiefly met with and grows to a great height. It is a very hard and durable wood, used chiefly for beams in buildings and for lining wells. The Hakdoorn tree also grows in these rivers, but the Mimosa is only found higher up in the Kuruman River, as it is a tree which needs a lot of water. Active steps are taken to prevent any destruction of trees on Crown land, but it is feared once the land becomes private property they are doomed. Before the inroad of the sand there must have been many storm water rivers in this country running into the Nosop and Molopo Rivers along their present dry courses, and in good rainy seasons I have no doubt this influx was sufficient to cause those rivers to flow. All the rainfall is now absorbed by the sand, however, and nothing reaches the rivers. Their beds have also

been raised considerably, for in those wells that have been sunk therein the white shingle, beautifully smooth and rounded by running water in times past, is found 50 feet below the present surface. Below this shingle the water is found.

Climate.

Of the climate of this country much could be written in praise and yet more in depreciation. It has, on the whole, an equable climate of high temperature, yet subject to rapid changes. Second to none in the world during the few months of winter it is remorselessly cruel in the long summer. I have seen the thermometer drop in summer from 110° in the shade to 60° in the course of six hours, while a temperature of 50° in midwinter at 2 p.m. has risen to 90° in 24 hours. The average daily shade reading at 2 p.m. for November, 1906, was 96° with 11 days over 100°, December 97·52 with 18 days, January, 1907, 98° with 18 days, February 94° with 13 days, March 94·75 with 6 days. During winter, May, 1907, 72°, June 72·2, July 64·8, August 73°, September 68·93; but this was a warm winter with frost on only two occasions. It is usually very severe in July and August.

With its combination of heat, wind, and dust there is probably no climate more trying, more depressing, or more harassing than that of the Kalahari, especially just before the summer rains, and hence it is that from noon to sunset all things living are in a state of torpor.

The curse of the land is the wind which blows almost continuously from January to December. Except during June and July not a day passes without wind from one direction or the other, often in force from every point of the compass within a few hours. During the summer boisterous Boreas takes an easy first place. Rising at about 8 a.m. it reaches its full force about noon, gathering thunder clouds to delude the patient dwellers of the earth, for about 3 p.m. it veers suddenly to the west, and the experienced know the rain will fall—some other day. It finally spends itself as a South-wester after sunset, by which time all clouds have disappeared. A strong south wind frequently blows at night from about 10 p.m. to 2 or 3 a.m. Next morning breaths of air, at first cool from the south, then warm from the east, moving in a direction contrary to the hands of the clock, herald the hot north wind, and the programme of the previous day is repeated till towards the close of December, when the westward movement ceases. Dust storms are now very frequent, of hurricane force, and unless the wind suddenly veers south, a sharp thunderstorm with a heavy shower of rain occurs. But nine times out of ten, when all the material for a good rain is at hand, clouds of dust in the south announce the approach of the south wind which soon overcomes the north and disperses the clouds. So sudden is

this change that the two winds may often be seen meeting, sending the dust swirling skywards. No one who has not lived through it can form any idea of the anxious longing with which the first summer rains are awaited or fully appreciate the consequences. For about eight months no rain has fallen, the land is parched, the grey grass is crumbled and under the glare of a sun indifferent to everything save its own energy, the country presents a most inhospitable appearance. Day by day the restorative is dangled before one's eyes, but the black clouds drift overhead and disperse, leaving the land unrelieved. And then at length, some day in December, the reality. What a change! One heavy shower and its track is marked by a green carpet which covers the earth as if by magic, and the very ground smells of the life and moisture with which it is filled. The rainy season extends from December to March, and is fairly regular year by year. In the summer of 1896-7 no rain fell, and up to date this summer no rain has fallen. This occurs through a failure of the north wind. The average rainfall is from 7 to 9 inches per annum. A rain gauge was erected in February, 1907, but since then we have had a drought. Of course in a country dependent on thunderstorms for its rainfall the record of a rain gauge is most misleading, for while the instrument itself may be bathed in sunshine heavy rain may be falling not six miles away.

During winter, *i.e.*, from May to August, the cold south wind predominates, but, as a rule, June and July are calm, with a sun sufficiently strong to make itself felt, a spotless sky of azure blue and a pure, bracing, and exhilarating atmosphere of marvellous transparency and rarefaction. No other climate can surpass that of the Kalahari winter. And what a charm there is in the profound quiet that enfolds the whole scene, a stillness that creates thoughts of purity and of destiny.

Vegetation.

The wonder of the Kalahari is its profuse vegetation, ranging from the gnarled "Gunie" tree to the delicate truffle. After the summer rains the various grasses grow to a height of two or three feet, giving the country the appearance of a vast cornfield, and so thick is the undergrowth ("opslag") that one can hardly realise it hides the dreaded desert sand.

Pride of place must of course be given to the "tsamma," the very life blood of the Kalahari, without which it would be an absolute desert closed to man. This plant is one of the gourd family, resembling the ordinary watermelon plant, except that its leaves are slenderer and smaller. There is no difference at all in growth, but the fruit can easily be distinguished by its shape alone, for a tsamma is always either round or shaped like the earth and never grows larger than a very big shaddock. Some are of a dark green colour, others have the stripe like a watermelon. There are two species, one tasteless

and the other markedly bitter. The Bushman can readily distinguish between them, but the inexperienced have to judge by the taste. The food is exactly like that of the watermelon except that it is of a cream colour; the seeds turn to a speckled black when ripe. Upon first acquaintance the fruit has a most insipid taste and exercises a purgative action on the bowels: only dire necessity will compel a horse unacquainted with it to partake of it, but, once eaten, they will always afterwards readily devour it. It should first be cut into small pieces and spread before the animal on a grain bag to protect it from sand. It has a very destructive effect on steel and will blunt the sharpest knife by a few minutes use. The Bushmen therefore operate on it with home-made bone knives. The seeds are set growing by the first summer rains, the plant requiring a shower every week or so while young, to enable it to withstand the hot sun. About two months thereafter the fruit is capable of yielding sufficient water to support life. It bears in great profusion. I have counted over 100 melons on one stalk, and during a good season it is unsafe to gallop a horse through the "straate" so thickly do they lie on the ground. The first frost kills all the leaves and stalks, and leaves the fruit lying like marbles over the country. After maturity the fruit remains wholesome for about twelve months, when it dries and the seeds are ready to grow with the first rains of the following summer, so that it reproduces itself only every other season, or summer. A good tsamma season is always followed by a poor one and *vice versa*. The fruit, in its raw state, is chiefly remarkable for its thirst-quenching properties but, cooked, it is also a food for man. The Bushmen have various ways of dealing with it, eating it as a fruit, roasting it under ashes, or stewing it with game or vermin (jackals, wild cats, &c.). The seeds are oily and very fattening. They are ground between two stones and made into flour. As a food the tsamma is, however, not very strengthening and cattle fed thereon soon lose their flesh when worked. To fatten cattle quickly it has no equal, and it was quite a common trick during the recent war in German South-West Africa, where slaughter stock were purchased by weight, to put lean cattle on the tsamma for a few weeks before handing them over.

There are other members of the gourd family indigenous to the Kalahari, viz., the spinous wild cucumber and the gemsbok cucumber. The former grows extensively in the "straate," especially in limy soil, where it bears most profusely. It has a sharp acid flavour which makes it more palatable than the tsamma. There is also a bitter species, distinguishable only by the taste. Ostriches are very fond of this fruit, presumably because they are unable to open a tsamma, the cucumber only growing to the size of a prickly pear.

The gemsbok cucumber is a larger fruit, oblong in shape. Its water has a sweet taste and is much liked by the game. As it is quite unable to resist frost its value is much discounted.

The summer rains also afford the Bushmen a luxury which the European might well envy him, and that is what he calls "Nabba," and the Dutch farmer the Kalahari potato, but which is nothing more or less than the European truffle. It is found in enormous quantities after the rains during the winter months, when the sand is firm and hard, just about two or three inches under the surface. A crack in the soil betrays its presence just underneath. It is very rich, the fatty cells glistening in the sunlight when cut, after being baked in the ashes. Besides these, there are many roots and berries upon which the natives exist, and so long as there is a sufficient annual rainfall no native in this district need work for a living.

The varied grasses of the Kalahari enjoy a reputation second to none as a food for animals. The most notable are the two kinds of Bushman grass (1) the "Langbeen," a tall, sweet grass, and (2) the "Fijn Twoa," a more delicate and richer grass. Then we have (3) the "Steekgraas," a coarse stubbly grass—the best to withstand drought, growing and running to seed without rain, owing to the depth of its roots. It is only eaten by cattle when no other grass is obtainable. It also makes excellent thatching. (4) "Ga" grass, a stubbly, coarse, sweet grass much liked by all stock when young. In times of drought it withers and hardens and becomes especially dangerous to horses owing to its binding properties. (5) "Blink Zaad" grass, not so plentiful, growing mostly in the "straate." (6) "Zuur" grass, very plentiful, growing in stalks close together like barley. It is only eaten by the cattle while it is young and again when quite ripe. At other times is has a peculiar smell and a peculiar sticky feeling. This is the only grass not eaten by locusts. The rich undergrowth or "opslag" consists mostly of the red sorrel, much prized by stock, and the "dubbelde doorn" with its yellow flower.

There are few indigenous bushes in the Kalahari. The "Gnooidoorn" eagerly devoured by sheep and goats; "Kooi Bosch" and "Gabba Bosch" are found all over; while the "drie doorn" of the Colony, the "Fijn Asbosch" and the "Pardebosch" also grow extensively. The "broom" bush is very plentiful, but gives a bitter taste to the milk. There is an utter absence of brak, and this is a great drawback. When travelling, one can notice the cattle licking the reims at the wagon and the trek chain every time they are outspanned, and cattle grazing there have to be brought out for brak once every month or so. The game get over the difficulty by licking the brak ground in the pans, and large holes can be seen in them where hundreds of these animals come to brak. On some of the farms on the outskirts of the Kalahari, the Australian salt bush has been cultivated with some success on the edges of the pans, but in the Kalahari itself the soil is so fresh that the brak bush loses its saline properties. At the pans, of course, the Australian salt bush will prove of great value.

In our portion of the Kalahari there are no trees to speak of. The "Vaal Kameel" or "Ka" and the "Gunie" tree might be dignified by that term. Further north, in the Bechuanaland Protectorate, there are forests of acacia and other trees, due no doubt to a greater rainfall.

No poisonous herbs are found in the Kalahari. Along the bed of the Molopo River the "Vomeer Bosch" and "Vuurbek Bosch" have appeared, no doubt introduced by the floods of 1894 from Vryburg.

People.

It is not so long ago that this country was extensively the habitat of the game, wild beasts, and the attendant Bushmen. When the Bastards came they found two tribes of Bushmen, the one a diminutive yellow race called "Gommanes"—probably fugitives from Cape Colony—the other a darker and taller race living on the Nosop River, amongst the Bechuanas, from whom they doubtless inherited their swarthy complexion. The yellow race is almost extinct, but a mixture is still found in the Kalahari. Round-faced, not at all unpleasing, they are very delicately featured, having hands and feet so small that they would not disgrace a stage beauty. With all the hardships and vicissitudes of fortune they have experienced there is no happier or more inoffensive race under the sun, but, when satiated with the idea of an injury done them, they are implacable foes, revenging themselves on man and property. They live in groups of families and friends under a sort of headman whose authority is confined to directing hunting operations and the treks connected therewith. Being dependent on the tsamma for water the extent of their operations is limited to the tsamma area. They live as far removed as possible from the white man, in whose presence they are very timid and reserved, until satisfied of his disposition. Their dress consisted of a strip of skin round the loins and rough "veldschoens" made from game hides. Now most of them have adopted the clothes of the European, when obtainable. Their language is distinct from the Hottentot and has more clicks. They are very healthy, and live to a ripe old age when leading their natural outdoor life. They do not wash, but rub the body with fat. Syphilis is rare amongst them, although most prevalent amongst the Hottentots. Their huts are perched in the most inaccessible spots midway up the highest dunes, from whence an extensive view of the surrounding country can be obtained. Men may traverse the Kalahari without sighting a single Bushman, but very few intruders are not seen by them. Should the party be on the hunt, the Bushmen will readily attach themselves as guides, but will perform no menial work, except to assist in the skinning, &c., and so soon as the hunt is over they will vanish like ghosts.

The *lares et penates* of a Bushman consist of a few lean and hungry dogs, a short but heavy knobkerrie, a long bone tsamma knife, a bow and arrows, the dried body of the

"gnubo" snake as an antidote against snake bite, a skin bag or two as a receptacle for these articles, and a tin for use as a kettle. Every werf has a large number of dogs which accompany their masters on the hunt, and it is really wonderful with what courage these lean mongrels will tackle a leopard, a courage no doubt begotten of hunger and an absolute confidence in their masters, who, with their knobkerries, are never far behind so soon as the dog has gripped his prey. The chief offensive weapon of the Bushmen is the bow and poisoned arrow. The poison is obtained from snakes, insects, and the euphorbia, and mixed with the juice of the "melkbosch" (not that of the Colony) which grows in the Karasberg mountains in German South-West Africa. The milky juice is boiled, and when cool is quite black and sticky. It is applied to the barbed arrow-head made from old hoops, knives, &c., and fixed in a bone tied to a reed obtained from the distant river beds. The "gnubo" snake is very rarely found, spending most of its time underground. It is small, of a brown colour and said to be very poisonous. There are two kinds, one with two small, short, fore feet. The dried body is carried by all natives and most of the Europeans in this country and in German S.W. Africa, and the dried flesh, ground to a powder and rubbed into the incised wound, is said by all to be an absolutely safe antidote to the most virulent snake poison. It is said to draw the poison "out in a stream." If I remember rightly some "gnubo" was analysed in Cape Town some years ago but no properties were found that could account for this action.

The Bushmen are the keenest hunters and the finest trackers in the world. Being dependent for their sustenance upon the products of the desert and in daily contact with its fauna, it is not surprising that their powers of vision and their perceptive faculties should be developed beyond those of ordinary man; and to one unversed in the ways of the desert their capabilities in these respects are little short of marvellous. As we look to our morning paper for a record of the event of the previous day so the Bushmen will interpret the doings of the animal world during the previous night (when alone history is made by them) by the imprints left on the sand. Every footprint is familiar to him, and he will announce to you what visitors his area has had, their number, time of visit during the night and whether they were at ease or startled. In the loose sand game spoors, old and new, in many hundreds, go in every direction; it would appear hopeless for us to follow a particular spoor; to them the problem presents no difficulty. Shoot at a buck in a herd that flees, he will follow their spoor for a short distance and return to tell you whether you have wounded your buck or not The merest clot of blood on the spoor will give him his clue, and he could lead you on that spoor for miles and miles and never lose it. Fleet of foot, their powers of endurance are wonderful, and if one could only

induce a specimen to compete at the Olympic games in Europe, methinks a world's record in long-distance running could be secured. The fleetest steenbok or duiker are run down by them during the hottest part of the day. The procedure is simple. By day these animals lie in the shade. Then the Bushman, club in hand, sallies forth, clad only in his "veldschoens" and, with much shouting, drives up whatever game comes in his way. Then the stern chase commences. The buck will outstrip his pursuer and lie down again, but the Bushman on the spoor at a fast trot soon drives him up and so the relentless pursuit goes on for about three or four hours in the hot burning sun. By that time the hot sand will have burnt the hoofs of the unfortunate animal to such an extent that he falls an easy prey to the club of the Bushman. A duiker and steenbok cannot run far in wet sand, and after rain they are chased by Bushmen, who soon catch up to them; the wet sand gets between the cloven hoofs of the animals and chafes them so severely that they cannot run far. Where bush is scarce steenbok frequently spend the day in the numerous antbear holes. Finding a morning spoor leading to these holes the Bushman, silently as a cat, creeps up to the hole and plants himself before it, leaving a small open space under the left arm for which the buck charges, when he is pinned, and dealt a stunning blow over the head with the kerrie in the right hand. In these ways numbers of these animals are killed and one can see with what difficulties they must rear their young.

The strength of a Bushman is remarkable. I have seen an insignificant looking fellow carry, one on each shoulder, the two complete legs of a full-grown male ostrich up a steep sand dune.

It is the most interesting experience imaginable to watch the ingenuity displayed by this savage when on the spoor of game. Possessed of a perfect knowledge of the habits of all game, he is able to forestall them at every point. Employed as a guide they will always precede the horsemen by a few yards, first throwing a handful of sand in the air to test the direction of the wind, which of course, determines the route for the day. Not a word is spoken, for one's vision is limited by the sand dunes and sound travels far. As he walks along he will indicate to you, by figures made on his fingers denoting the horns of the animal, what spoors he is meeting with and whether fresh or old, &c. Before mounting a dune he will creep on his stomach, and with eyes and ears on the alert, peer cautiously over the crest from behind the friendly cover of a tuft of grass, lying motionless the while, till he has examined every nook and corner of the area exposed to view. If there is game, his keen eye will take in the topographical features of the whole scene, and he will take you, after much creeping and climbing on all fours, to the nearest point affording cover, and there is no prouder moment in his life than when the

crack of your rifle lays at his feet the much-prized meat. A particularly good shot is greeted with shouts of laughter and a salute of "Gai koms" (lit. big stomach) which in the native is synonomous with "big man."

The greatest ambition of a young Bushman is to catch his first steenbok, for no girl will have him to wed until he has shown his competency to provide the family with food. The capture of a buck is indicative of manhood. No ceremony takes place when a Bushman weds. It is a "taking" pure and simple. Their only method of giving expression to any exuberance of feeling is by dancing, which is indulged in by the men alone, the women circling round and wailing a weird chant in praise of either the gemsbok, ostrich, lion, &c. While these are sung, with clapping of hands, the men with horns on their heads and strings of hairworm shells fastened round their legs, making a peculiar noise, imitate the antics of the respective animals in their sportive moods.

When the Bushmen had learnt the use of the rifle from the Bastards they were armed and had to do most of the hunting, while the Bastards remained at home. The skins and feathers were brought to them while the meat was eaten by the Bushmen. The rifle, therefore, played an important part in the taming of the Bushman for, realising the impotency of his own weapon as compared with that possessed by the Bastard he naturally allied himself to the latter, at first, and when these became subject to the Colonial laws, he went over to the Hottentots further north, so that at present only isolated parties of Bushmen exist in our portion of the Kalahari. The strict enforcement of the game laws has made the country unsafe for them. They profess to be unable to understand by what right Government protects the game and invariably ask to be shown the Government brand on the animals.

These were the people whom the Bastards found when about the year 1863 they first visited this land, while on the hunt. At about this period there was a considerable migration of Bastards northwards across the Orange River. The descendants of the early Dutch farmers by Hottentots and slave women, they retained to a great extent the characteristics of their fathers and, judged by the times and circumstances, maintained a fairly high standard of civilisation. Very independent in spirit, charitably disposed towards each other, law-abiding, and deferential to authority, they also affected a great devotion to religion. This class had played no inconsiderable part in the pacification of the turbulent districts of the Colony bordering on the Orange River, for, unable to maintain themselves amongst the white man, and too proud to work, they sought lands for themselves and their flocks further north. In those times the Colonial border was in a constant state of turmoil owing to the depredations of Bushmen, Korannas, and vagrants from the Colony, and by interposing between these and the farmers the Bastards formed a sort of

buffer state. At Loeriesfontein, Amandelboom and De Tuin there were large and prosperous Bastard settlements with their missionaries. But the European farmer, demoralised by occupation of large tracts of country, had sunk into a purely pastoral and nomad life, which creates no affection for, or attachment to, any particular locality, and so in course of time encroached, at first temporarily, and then permanently, on the land occupied by the Bastards. The latter, by no means a warlike people, and imbued with a sense of respect for the white man, were content to seek fresh fields and so crossed the Orange River. With the permission of the Hottentots they settled down in the south-eastern portion of Great Namaqualand, in the territory of the "Afrikander" Hottentots, who had migrated from the Colony under the notorious Jantje Afrikander, in 1806. His son, Jacobus Afrikander, was then Captain of a part of the tribe which had split up at Jantje's death. The Vilander family appears to have been an influential one, for its head, Dirk, became a sort of "under Captain" to Afrikander, presumably to represent the new element. Vilander's father was a white man and his mother a slave, and the farm Loeriesfontein, in the Calvinia district, is said to have been granted him by the Colonial Government. In the course of their stay at Blydeverwacht, the Bastards hunted northwards to this and finding the game plentiful and the country adapted for stock-raising, they settled down here about the year 1865. Only about a dozen families formed the first settlement here, but in small numbers it constantly received additions. A few years after Vilander had arrived here he received an urgent appeal from Afrikander to come to his assistance, as the Bondelzwarts Hottentots were meditating an attack on him. Vilander, however, sent wagons to fetch Afrikander and his followers, and they too settled down here. But trouble soon arose. Jacobus Afrikander still considered himself the Captain, but he had a feeling that his influence was waning as the prosperity of the Bastards increased and that he was being patronised. Rivalries and jealousies in the hunting veldt soon led to an open breach between himself and Vilander, whom he accused of plotting to supplant him. As a result, Vilander and his people were ordered to leave. He asked for delay till after rains, but no time was allowed, and so the Bastards at a secret meeting determined to fight, and elected Vilander as Captain. Next morning early they surprised and routed the Hottentots with little loss. Vilander, suspecting that Afrikander would seek for reinforcements from Namaqualand, with his people trekked east to the Bechuana Chief, Bareke, and settled down for a year at Honing Vlei. The Bastards were on friendly terms with the Bechuanas, whom they had often met while hunting. After collecting as much ammunition as was obtainable, Vilander resumed his courage and returned here. They found Afrikander and a few Hottentots living hereabouts, but no notice was taken of them. That Afrikander, who subsequently settled down at Narougas, 40

miles from here, always cherished notions of revenge is clear, for in 1869 he appealed to Sir Philip Wodehouse for protection against Vilander, alleging that the latter had deprived him of his country, and, with the assistance of Bechuanas, was meditating an attack on him. Sir Walter Currie, then on the Orange River, was directed to inquire into this complaint, but his health breaking down no interference took place. On the other hand so late as 1880, Vilander wrote a letter to the Magistrate at Kenhardt, wherein he expressed fears of an attack by the Hottentots, and asked for protection and ammunition. But no further molestation took place from one side or the other. Steps were taken on the return from Honing Vlei to form some sort of Government, and a Raad, or Council, was nominated by the Captain to assist him. Written laws, of course, they had none, but whatever they remembered of the laws of the Colony regarding person and property, guided them. Offences and disputes were adjudicated upon by the Raad which, in weighty matters, referred to the Captain. They received no fees but, during session, at the Captain's werf, were entertained at his expense. No grant was made the Captain. He farmed like the rest, but the burghers were expected to give annual tribute, each according to his means. The succession was established in the Vilander family descending in the male line. Estates of deceased persons were summarily administered by the Captain or his deputy. In the absence of a missionary marriages took place without any religious ceremony, but gave occasion for much feasting.

At first the settlement was established on true Socialistic principles, and water, pasturage, and the hunting fields were free to all. This was the only place with open water. At Mier (so named by the Bastards when they first saw the tracks of the Bushmen walking in one narrow path to and from a water hole, called a "gorah," where water was obtained by suction from the ground through reeds) a well was sunk by the Bastards, and when water was found most of them settled here, owing to its proximity to the game. In course of time wells were sunk elsewhere by the more enterprising, to whom were granted sole rights. These were prosperous times, rains were regular and plentiful, (the Bastards say it is only since the white men came into the country that the rains have diminished) stock in good condition and increasing fast, and herds of game to supply food. Europeans, traders at first from Kuruman and latterly from the Colony, soon followed in the wake of the Bastards, bringing ammunition, coffee, sugar, brandy, tobacco, and clothing, in exchange for game, hides, horns and ostrich feathers.

In 1874 Vilander asked for a missionary to be sent here, and the following year the Rev. Mr. Weber came to visit him, presumably in connection with his application. He found fifty souls at this place, and mentions visiting Vilander at Mier and other people at Schepkolk, but did not record the

number he found there. Evidently he did not consider the country ripe for missionary enterprise, for it was not till 1885 that a missionary—Mr. Pabst, of the Rhenish Mission Society —was appointed. Divine service was, however, always conducted by the Captain or one of the older men.

During the Koranna war of 1878-9, Vilander remained neutral, but kept up a friendly correspondence with the Magistrate at Kenhardt.

When Mr. Pabst arrived he found only two families at Rietfontein, the others had by this time settled on their farms or at Mier and Schepkolk. He registered 45 families as members of the Church. He also found a number of Bushmen and Bechuanas living as servants amongst the Bastards. Vilander's territory then extended South as far as the farm Abeam, thence to the Bak River, in Great Namaqualand, from there North as far as the Nosop River and eastwards as far as the Molopo River.

In 1885, when the Imperial Government introduced Germany into South-West Africa and placed an estoppel on the expansion of the Colony northwards on the West, deciding upon the 20th degree of East Longitude as dividing their respective spheres of influence, Vilander, amongst other semi-independent chiefs, found himself under the direct protection of the British Crown. But as often happens in the case of an arbitrary astronomical boundary, drawn without reference to ethnological considerations, the Vilander territory was cut in two by this boundary—in fact this station itself was laid claim to by some zealous German officers and the British flag at the police station hauled down by them. Subsequent survey fixed the border about two miles west of the church, but a large portion of the mission land fell into German territory.

On the 25th August, 1888, old Dirk Vilander died. Modest and unassuming, honest and just in his dealings with all, he died respected by white and black. His first care was always the welfare of his people, but he never allowed it to influence his dealings with the whites, for whom he always enjoined the greatest respect upon his people. Keenly alive to the dangers of a white invasion, he would never on any account permit the sale to them of any land; one exception was made after days of deliberation with the Raad when a farm was transferred to a trader in payment of the debts of the community.

Dirk was succeeded by his son David, a broad-minded and honest man, but lacking the force of character of his father, and he was unable to resist the influence gradually acquired over him by the whites. He appointed a white man his secretary to keep records and, presumably, to give advice. On the 16th December, 1889, the farm Rietfontein was set apart as a Mission Station so long as required for Mission purposes. In that year also a concession of all the mineral rights was granted to a Port Elizabeth Syndicate in consideration of a

subsidy of £500 per annum, which was paid to Vilander up to his death thirteen years later. At his death the Government declined to recognise the rights of the Syndicate, holding that the concession lapsed with the death of Vilander, and it was supported in this view by the Supreme Court and the Privy Council at the suit of the Syndicate.

Acting no doubt on the advice of his European friends, Vilander, with the idea impressed upon him that unless each Bastard was granted full title to the several farms already laid out the communal land would, upon annexation, fall to Government, now divided the territory into farms of 10,000 morgen and issued certificates of ownership. Every male Bastard of age received a farm. It happened, therefore, that a man who possessed perhaps a few goats, or none at all, suddenly found himself the owner of a large farm with no water and on which he could exist only while there was tsamma. Even could he have found water he had no stock to put on his farm. His own farm was his undoing, for the communal rights he shared on the fertile lands were now denied him. It, therefore, needed little persuasion to induce him to sell what was of no material value for what seemed of more benefit to him, and so these farms were sold to white men for the merest trifles. The Captain had already so far relaxed the rule of his father that he allowed the sale of dry farms to Europeans.

On the 5th May, 1891, this territory was formally annexed to British Bechuanaland, and so departed the glory of the house of Vilander. A Concession Court, held at Upington in December, 1893, confirmed all titles to land granted by Vilander, 64 in number, of which 11 were in favour of Europeans. And now followed the inevitable result of Vilander's policy of individual tenure. There is only one course to pursue if you wish to break up a native community, and that is to give them unrestricted individual tenure of their land and, so sure as night follows the day, so sure will that native in course of time find himself ousted by the white man. If you wish to accelerate the process allow the free use of brandy. Of course the idea presented to Vilander was the forestalling of a rapacious Government, and he was not astute enough to foresee the consequences. Now came the opportunity for the speculator. Denied the right of free hunting, restricted by laws far in advance of the needs of the country, too often bereft of his senses by a plentiful supply of dop, the unfortunate owners of the better farms, possessed of a childlike faith in the integrity of the white man, parted with their inheritance for the most ridiculous prices. Rarely was any money paid. Goods were supplied supposedly to the value of the selling price, and, when the seller was informed he had obtained the full quantity, he had to be satisfied, so that having disposed of the farm there was no money to buy another. So he had either to settle down on the Mission land

as a pauper or resume his wanderings north. With their Captain powerless to assist or advise, and with no one in the flesh to represent the new Government, the more enterprising sought fresh pastures and a large number trekked to Witbooi's territory in German South-West Africa. Of 53 farms held by Bastards at the time of the Concession Court only six are to-day held by them, all re-purchased by new comers.

The unfortunate David Vilander found a premature grave on the 14th March, 1902, at his farm, where he had taken up a position against some Colonial Boers at the direction of the Officer Commanding at Upington.

Fauna and Avifauna.

Before the Bastards commenced their murderous onslaught this country must have been a veritable paradise for the lover of wild nature. It was the habitat of almost every species of the larger game. Where this office now stands the lordly lion was shot, and near by at the fountain there can still be seen the fossilised bones of the elephant. But with a few exceptions they have vanished from the scene, and to-day only the gemsbok, the ostrich, the hartebeest, and the blue wildebeest are found in the recesses of the Kalahari.

When the Bastards arrived, the country was teeming with game. Gemsbok, giraffe, eland, hartebeest, wild ostriches, and lions roamed the fields, but they could not long withstand the combination of the Bushmen and the Bastards. Wagon-loads of hides and ostrich feathers were bartered first at Calvinia, later at Kenhardt, and later still at Upington for ammunition, &c. Fortunately at the most critical time the game laws came to the assistance of the fauna, but, judged by the hides, feathers, &c., that come from the Protectorate, the slaughter there must still be great. Anyhow it is a satisfaction to know that the game is returning and seeking a sanctuary in our portion of the Kalahari, where the gemsbok and ostriches have increased considerably. Unfortunately only the gemsbok was specially protected in 1905, by a Proclamation, for three years, while the hartebeest and wildebeest, which are really very scarce, were left unprotected. I do not know how this came about, as the local officials were never consulted. The destruction of big game in South Africa will never cease until the possession of their hides and biltong is made a crime, and I am very pleased to see that the Transvaal Government has in their new Game Law Regulations made a move in this direction. If it can be done there, surely we could do so in this Colony.

Steenbok and duiker are very plentiful, and it is no uncommon sight to see eight or nine of these creatures dart up from cover at the sound of a rifle. Springboks are still found in large numbers on the Onap and Nosop Rivers, where they obtain brak by licking at the rocks in the river banks. The smaller game found here grow much larger in the Kalahari

than they do in the Colony, due, I suppose, to a more unrestricted life and better grazing.

The game laws have proved very effective against the European hunter, but it is feared that the Bushmen still levy heavy toll upon the game. The tendency is for the white man or Bastard to arm them and let them stay in the Kalahari, using the meat, and keeping the hides and feathers for their masters. Recently the police have carried out some intelligently arranged desert patrols and surprised Bushmen werfs with gemsbok biltong, feathers, and egg shells.

By far the greatest damage is, however, caused by the wild carnivora which still infest the Kalahari. In the northern part of this district the spoors of lions are constantly seen, and only recently one was shot on the Nosop River. The greatest destruction, however, is wrought by the wild dogs, which exist in large numbers. Hunting, as they do, in large packs, they not only kill but wound in a wholesale manner, for they will not touch dead meat, eating it only from the live animal, whom they gash in a shocking manner as they run alongside it. The damage done by these brutes amongst game must be enormous, and I certainly think a big price should be paid for their destruction. This year they have visited the Molopo farms in large numbers, and a most valuable bull belonging to Mr. Lennox was completely gelded. They are, however, easily hunted by horsemen who pursue them under the midday sun when the sand is very hot. After an hour's chase their feet become scorched and they are easily shot. Mr. Lennox last month shot nine out of one pack, while Private Eksteen, of the C.M.P., shot six on a subsequent occasion.

The Kalahari swarms with jackals, wild cats (the lynx and the common gray cat) and field mice. I was much amused at a sub-leader in a Cape Town newspaper recently where the editor sought to prove that the farmer encourages the breeding of jackals so as to obtain the rewards, by the fact that in the district of Gordonia no pups were presented for payment. Now here jackals are seldom or ever killed except by poison, and the editor was evidently unaware of the fact that foxes have holes, which are not usually made round the farm house, that the pups do not generally leave the cradle to search for the farmers' lambs, and that consequently they do not eat his poison, while the unfortunate parent who has to make shift for himself and family, does. In this thinly populated country his lair is seldom seen. The antbear (aardvark) is almost as common as the jackal, and I had the good fortune to see one of these animals outside his hole in broad daylight. They are in good condition and the flesh is not unlike pork in taste.

Of the game birds the most numerous are the Paauw (the "gom" and the "duin") and the different Knorhaan, of which the black and white species is found in the grass in vast numbers. Millions of the Namaqua Partridge subsist on the

grass seeds. Flocks of plover are seen just after the rains. Geese and teal are rare.

Of the other birds the most noteworthy are the large and small locust birds, the stork, and the pratincole respectively. The former appear in large flocks with the rains which also hatch out the locusts. The curious evolutions of these birds towards evening gyrating far up in the sky afford a magnificent sight.

The Kalahari swarms with snakes, the most numerous being the deadly puff-adder, the horned adder, the yellow cobra, and the brown cobra.

Industry.

The principal, in fact only, industry in this area is stock-raising, and this has been successfully carried on since the country was first occupied by the Bastards, who introduced cattle, horses, Afrikander sheep, and the common boer goat. The climate is so healthy and the pasturage so excellent that stock, especially the Afrikander sheep and goat, increase to an extent unknown elsewhere. Men who have come here in the poorest circumstances to-day enjoy a fair measure of prosperity attained with a minimum amount of labour and expense. True the life is a strenuous one, and it is at present only the South African who, inured to the life and content with small things, is suited to the country. Starting with a calico tent for himself and family, and his small flock, he will find himself in the course of a few years possessed of a fairly large flock. Goats are marvellously prolific and almost invariably bear twins, in many cases triplets; while the Afrikander sheep also often rear twins. On one farm 34 goat ewes produced 72 kids. Droughts are of rare occurrence and winters are never severe. Stock disease is practically non-existent except in the low-lying valley of the Molopo River, where during just the very dry months of the year lamziekte and gallziekte appear. But so unfavourable is the climate to the spread of the disease that with the growth of the young grass it disappears. A want of brak no doubt to some extent accounts for the presence of lamziekte, when the animals are in poor condition, for a change to brak veld is often efficacious in checking the disease. Isolated outbreaks of lungsickness have occurred on the farms abutting on the Anglo-German border crossed by the main road from Upington. The disease, however, seldom spreads, and is easily suppressed by inoculation from a diseased animal, the mortality never exceeding 5 per cent. Scab appears in goats during the dry months of November and December, but vanishes as the veld recovers by rain. In March and April, after heavy rains, horse sickness is prevalent in the valleys, but is not very severe. For instance, in the district of Vryburg hundreds of horses died last year, while here only about twenty perished. Horse-breeding is very

successfully carried on. A tough and hardy animal is bred, but its size could profitably be increased.

There is also a very profitable industry carried on by the natives in the making of karosses from jackal and cat skins. Of these the red cat (lynx) is the most sought after, as much as £6 being paid for a good sized kaross. It has a splendid furry coat, very warm, yet light. This fur is naturally charged with electricity, and is said to be excellent for rheumatic people.

It will be gathered, therefore, that this land is essentially adapted for the poor farmer with just sufficient capital to form the nucleus of a flock or herd. Unfortunately, however, the permanently habitable portions are fully taken up and hold as much stock as they can carry. For the future settler there is only the waterless Kalahari (Great thirst). Therein lies the future. But the Kalahari is to-day a great unsolved problem, the solution of which is, or ought to be, beyond the hope of the man with small means. There can be no doubt that with its climate and its varied and rich pastures it ought to be the finest country in the world for stock-raising. Nature, however, has denied the one thing needful, and that is water. True to her instincts she has attempted to preserve the balance by providing the valuable tsamma as a substitute, and this fact leads some to infer that no water fit for man or beast will ever be found there. If regular rains could be relied on year by year, no water at all would be required, as the tsamma would be sufficient all the year round. As it is now, numbers of Bushmen and stock exist there for many seasons without water, and further North there are stock that have never yet tasted water, except, of course, after rain. Given a permanent water supply, stock-farming on a large scale could be carried on in that extensive region, and the Kalahari would then prove itself one of the most valuable economic assets possessed by South Africa. At present it is used by poor people who have no farms and also by farmers who, while there is tsamma, spare their own veld. Grazing permits (6d. per head for large stock and 5s. per 100 for small stock per month) are issued by the Magistrate, the revenue from this source amounting in 1906 to £112 and in 1907 to £117. No proper attempts have yet been made to find water in the Kalahari. The ordinary wells of 60 to 80 feet have been sunk on its outskirts. In most cases water was found, but like saltpetre. At Twee River a well was sunk 120 feet deep and water found. A few days after some thirsty Bushmen arrived there and drank of the water; within a few hours five died, poisoned by the water, which was then found to be as salt as the sea and bitter. In the hard veld region good water is found at a depth of 40 feet. The peculiarity of it is that absolutely salt water is often found in this region too, sometimes within a few yards of a freshwater well. At 120 feet in the Kalahari one ought to strike the level of this hard veld region, so that one cannot say that any

serious attempt has been made to find water, for no deeper well has yet been sunk there. The water usually spreads itself underground in veins, and these are looked for by the water-finder, who can trace them by the vegetation above. One may well inquire what becomes of the immense quantity of rain-water which is annually absorbed by the Kalahari sand. True the tsamma and rank vegetation must make great demands on it and a considerable quantity must have gone to form the limestone bed under the sand, and one can only conjecture that here, as in all limestone regions, there may be underground rivers. At Rietfontein, which is about 9 miles from the nearest sand dunes, we have about thirty wells in a circumference of less than a mile, each with an unlimited supply of fresh water at a depth of not more than fifteen feet. Before these were sunk there was a strong fountain, and the vein supplying it can be clearly traced in the direction of the Kalahari. And so with others. It may therefore be that most of the water found in this hard veld region is drawn from a similar source. As one cannot trace these water veins through the sand, one can only look for them in the few and far between patches of hard veld. What a splendid field, therefore, the Kalahari offers for the gentlemen with the divining rod, to whom the sand should offer no difficulties. We have several of these gentlemen at work now.

So far, therefore, one cannot say with any degree of certainty that fresh water will never be found, but it is almost safe to say that no good water will be found at the depths to which the ordinary wells are sunk. The natural resources of the land are so great, however, that every effort should be made to solve the question. Think of the millions of stock for which grazing is at hand there. Not only South Africa but Europe could be supplied with meat from there. Even should water be found only at a few place the benefits would be incalculable, for with tsamma available nine months of the year and even more, the water could be kept as a reserve.

The scheme which was laid before Parliament a few sessions ago and subsequently abandoned, is designed to hand the Kalahari over to private enterprise. Now for the man with capital, the Kalahari, with its strenuous life, offers no attractions, so that no assistance can be expected from him. There remain, therefore, the man with a moderate amount of capital and the man with none. The latter is out of the running, however eager he may be for the land. So that we have to fall back on the middle class to satisfy the whole of the Colony (for it is a question that affects us all in one way or another, especially at the present moment) whether there is water procurable in the Kalahari or not. It has been said that there are numbers of this class only too anxious to go and search for water so soon as they know the terms the land could be secured on. Well, I have not met one man yet anxious to go and search for water. Although a good few have applied for

permission to sink wells in the Kalahari, investigation has always resulted in the discovery that the proposed site is somewhere on the Molopo or Nosop or Kuruman Rivers, where we know water can be found at a depth of 70 feet, but it can safely be assumed that a good deal of the water which disappears higher up the rivers continues its course underground. Besides, a large tract of the Kalahari north of this, in the Mier country, has been private property since 1893, and with one exception no attempts have been made to find water there. So that this feverish anxiety to go and search for water is more apparent than real. There is a keen desire to dig for water in the river beds, but I hope that will not be permitted, at least not for many years to come, and then only if the whole Kalahari is opened up, otherwise, isolated as they will be, they will only serve as depôts for big game shooting and illicit trading with the natives. Even should any man with limited means wish to prospect for water in the Kalahari, I should certainly discourage him in every possible way, for the only result of his toil will be to add to the number of our poor whites, as the work will be very costly. The charges now for well-sinking in the hard veld is 10s. per foot up to 20 feet, and 20s. thereafter to 40 feet, then 30s., and so on, employers to supply the material and water. The question so eminently concerns the whole country that I think it essentially one that should be taken up by Government itself. If unsuccessful the whole country will bear the loss and not a few enterprising men. I am persuaded, however, that the solution of the difficulty lies in the artesian well, and that fresh water will only be found at a great depth below the surface (I believe in the extreme southern portion of the Kalahari, Messrs. Leopold Abt and Co. went to something like 400 feet without success). In Western Australia there is an artesian well 4,000 feet in depth, and to my mind the problem they had to face there is our problem. Of course such work can only be undertaken by a Government. A machine should be set aside fully equipped and manned for this work, and the engineer, a man carefully selected and taking a personal interest in the work, should be accompanied by a local man thoroughly experienced in the Kalahari and disinterested, materially. No doubt the Australian Governments would be willing to supply what information they have collected in the course of their experiments in this direction. The work may take years, but no money should be spared to make it as thorough as possible.

Having found the water in sufficient quantity there still remains the question how to deal with the land. Two schemes suggest themselves. The one to attract the capitalist with a view to stock-farming on a large scale and on scientific principles with cold storage apparatus, &c., so as to develop an export trade; the other to reserve the land and to provide a fresh start for our poor whites who are without land and need a helping hand to re-establish themselves and to prevent their

degeneration. Here, farming in his slow but sure style, he could, if willing, rehabilitate himself. Both schemes have much in their favour, but, in the latter case, the land should be handed over to some Society like the Dutch Reformed Church Mission Society, on the principles prevailing at Kakamas, and the Government should keep out of the administration. But these are matters for the future. Should no water be found, then the only course is to make a game reserve of the whole area South of the Kuruman River and prohibit the entry of all persons therein except under permit from the Magistrate or Police.

I have, &c.,

J. F. Herbst, A.R.M.

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No. 42.

CEYLON.

REPORT ON THE RESULTS OF THE MINERAL SURVEY IN 1905–6.

BY

PROFESSOR W. R. DUNSTAN, M.A., LL.D., F.R.S.,
Director of the Imperial Institute.

(For Report for 1904–5, *see* No. 37.)

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(No. XIII. of Series, Ceylon Mineral Survey.)

BY

Professor WYNDHAM R. DUNSTAN, M.A., LL.D., F.R.S.,
Director of the Imperial Institute.

(For Report for 1904–5, *see* No. 37.)

The following reports refer to the composition and value of the minerals collected by the officers of the Survey in Ceylon or forwarded to the Imperial Institute by commercial firms or residents in the island during the years 1905–6, and is supplementary to previous reports issued in this series (see [Cd. 2,341] of 1905 and [Cd. 3,190] of 1906).

Attention has again been given to the examination of localities in which minerals containing thorium may occur, especially the beds of streams and rivers, and preliminary results of much importance have been obtained. The river gravels have in several instances proved to contain not only the valuable minerals thorianite, monazite and thorite, but gold in addition. These river gravels have been concentrated by the officers of the Survey by "panning" in the usual way, and the results of the analysis of the concentrates forwarded for examination to the Imperial Institute are given in the following pages.

It will be seen that gold and thorium minerals are often present in considerable quantities. Attention may be particularly directed to a concentrate obtained from the Walaweganga (Morahela) river which contained no less than 9·6 per cent. of gold and 45 per cent. of thorianite. If material of this quality can be readily concentrated on a large scale from the gravels of large areas of the river bed, the undertaking will no doubt prove to be highly profitable. Information on this point is desired.

Unfortunately, particulars as to the quantitative relation of the concentrate to the crude gravel have not been furnished, neither is it yet known to what extent different areas of the river bed will furnish material as valuable as that referred to. It is therefore important that this and other districts selected with the aid of the results now submitted should be thoroughly examined, and that further concentrates with full quantitative information should be forwarded for analysis and assay to the

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Imperial Institute. When this work has been completed it will be possible to consider whether and by what means the areas should be exploited for gold and thorium minerals. As mentioned in my previous report it may be worth while in the case of comparatively large rivers and streams to resort to a system of dredging, the gravel thus won being afterwards systematically concentrated by washing and by the use of magnetic separators.

The occurrence of gold in payable quantities in those localities in which thorianite also occurs, enormously increases the profit obtainable from the exploitation of the latter mineral. The collection of thorianite in Ceylon has yielded already a handsome return since the value of this mineral was made known in 1904, though the subsequent fall in the price of thoria referred to in the previous report has led to a lessening of activity on the part of the collector and a natural desire to hold rather than sell the material which has been collected, in the expectation of a rise in its market value.

Of scientific interest as well as commercial importance is the fact recorded in this and the previous report that the monazite of Ceylon is richer in thoria, and therefore correspondingly more valuable, than the monazite obtained in other localities. It is now shown that one specimen from Pusse dola, Dela, Sab., contains no less than 14 per cent. of this valuable rare earth.

Several interesting problems connected with the constitution of thorianite, zirkelite and other Ceylon minerals containing rare earths are under investigation at the Imperial Institute.

The other minerals of commercial importance dealt with in the following report are tinstone, not yet found in large quantity, galena and molybdenite. For the last there is an increasing demand for the manufacture of certain kinds of steel, and the extent of its occurrence in Ceylon should be thoroughly investigated.

The occurrence of mercury with gold in specimen CnC. 207 (see page 28) must not be regarded as necessarily indicating that mercury occurs in Ceylon. All the reported occurrences of mercury ores in the island have so far not been substantiated on investigation, and the metal has not been detected with certainty in any mineral hitherto collected during the mineral survey (see previous report, [Cd. 3,190], p. 14). In an account recently given by Dr. E. H. Buchner (Proc. Royal Society, A. vol. 78, p. 385) of the constituents of some hundredweights of thorianite which had been worked up and chemically examined, traces of mercury are recorded. It is, however, not clear that these may not have been introduced by contamination during the operations.

Of great interest is the occurrence of platinum found for the first time in Ceylon near Karawita. This occurrence should be further investigated and careful search made for this most valuable metal in other localities.

The Mineral Survey of Ceylon has now been sanctioned by the Secretary of State for the Colonies on the recommendation of the

Government of Ceylon for a further term of three years under the supervision of the Director of the Imperial Institute, and in collaboration with the Scientific and Technical Department of the Institute Mr. James Parsons, B.Sc., has been appointed Principal Mineral Surveyor, and Mr. J. A. Daniel, B.A. (Cantab) Assistant Mineral Surveyor. The Surveyors, who are stationed in Ceylon, are instructed to conduct a thorough geological exploration of selected areas of the island, with special reference to the occurrence of economic minerals, specimens of which are to be regularly forwarded to the Imperial Institute, where their precise composition and probable commercial value will be ascertained by examination in the Scientific and Technical Department, and, wherever necessary, by submission to manufacturers for technical trial. Notification has also been given in the island by the Government of Ceylon that residents may forward to the Imperial Institute for report, through the Colonial Secretary at Colombo, specimens of any minerals found in the island which are believed to be of economic importance. This action will be the means of rendering important assistance to the operations of the Mineral Survey in revealing the existence of valuable minerals.

Dr. Coomaraswamy, who conducted the explorations made by the Survey in Ceylon since its commencement in 1903, retired at the close of 1906. During the three years in which he was in charge of these operations he displayed great energy in every aspect of the work, and the success which has attended the first period of the Survey's existence is largely due to his geological knowledge and enterprise in bringing to light fresh material, and in accurately recording the geological structure of those portions of the island he traversed. The subsequent work of determining the composition and commercial value of the minerals collected in Ceylon which has been carried on in the Scientific and Technical Department of the Imperial Institute has been unexpectedly interesting though frequently difficult and laborious, requiring much foresight and discrimination in the detection of new or little known constituents, whose separation and identification has often involved the use of specially devised methods of research. In this mineralogical and chemical work several members of the staff have been associated, especially Dr. T. A. Henry, Mr. G. S. Blake, Dr. J. W. Evans, and Mr. T. Crook. Much assistance has been rendered to the department in the later stages of the work by several manufacturers and technical experts, who have shown great readiness in contributing to make known in this country the commercial possibilities and the value of minerals of Ceylon.

REPORT ON MINERAL SPECIMENS FORWARDED BY THE DIRECTOR OF THE MINERAL SURVEY IN CEYLON.

(No. XI. of Series, Ceylon Mineral Survey.)

The present report deals with the results of the examination in the Scientific and Technical Department of the Imperial Institute of the 11th to the 16th consignments of mineral specimens received from the Director of the Mineral Survey in Ceylon.

Descriptions of the occurrence of the minerals now reported on are contained in the Progress Reports made to the Director of the Imperial Institute, several of which were generally alluded to in the Report on the Mineral Survey for 1904–5.

The eleventh report dated the 6th May, 1905, records the observations made by Dr. Coomaraswamy on the alluvial deposits of the Ratnapura District in the Sabaragamuwa Province during the months of March, April and May. Tinstone was found to occur at Niriella in a small stream known as the Etunkehena dola at a point where gemming had been carried on. Gold was found at Karawita and Niriella in the Niriella ganga, Elapata in the Miniran deniya and Veralupe dola, Ratnapura, the last a well-known locality for gold and gems. It was also found in the Weganga at Marapana, the Bambarabotuwa Oya about two miles above Malwela, and in the Walawe ganga, which drains the opposite side of the Bambarabotuwa watershed, and at Morahela near Balangoda.

Thorianite was found in minute crystals and fragments at Niriella, Weralupe dola and the Bambarabotuwa Oya, which has amongst its tributaries the Pandi Oya. It was also found in the Walaweduwa Oya and other localities.

Specimens described as thorite from concentrates obtained by Mr. Smale from the Massena Estate near Balangoda were forwarded with the report. Gems and graphite occur in the district and mention is made of a pale brown phlogopite mica from abandoned pits near Kiriella.

At the same time Mr. Parsons examined the rocks in the Western Province in the neighbourhood of Bentota on the sea coast. These included sandy limestones of recent date. He thence proceeded to Moragala, the centre of a large graphite district where the mode of occurrence of that mineral was studied and described. He then visited a number of gemming localities, including Pelawatta in the valley of the Bentota ganga; Badureliya and Borulugoda on the Magura ganga, a tributary of the Kaluganga; Kukulugama in the Sabaragamuwa Province on the Kukulu ganga, Karawita on the ganga of the same name, and Noragala on the Hangamuwa ganga; all these streams being tributary to the Kaluganga. In some of these localities veins of graphite were also examined.

At Pelawatta, formerly a locality for catseyes now mostly worked out, some specks of gold were obtained. Gold was also found at Karawita as well as corundum and spinel. Two specks of a white metal, supposed to be platinum, were also obtained. A little cassiterite was found at Induruwe Hena, Marapona, near Noragala. Associated with it were corundum, topaz and zircon. Good sapphires are said to be obtained.

Thorianite was found in Amuhenatenne dola, in the village of Erabadda on the Dola ganga above Ratnapura. It was traced to a small lateral stream, the Kunamillehena Ela. A concentrate composed almost entirely of thorianite was brought in from Tun Dola in Lelipitiya to the north of Erabadda. Other concentrates from Nuga Dola Dela contained thorite, galena and a mineral referred to annerödite.

The twelfth report dated the 16th June 1905, describes the operations carried out in the region round Kegalla in the Western Province.

Deposits of molybdenite at Hettimulla about four miles south of Kegalla were investigated, as also were graphite workings near Batalagala Hill, Diganawatta and Walakadeyaya, all to the east of Kegalla and near the Maha Oya, and at Siyambalapitiya to the north of Kegalla. At the same time the alluvial deposits were examined for gems and other heavy minerals, but none of value were met with. The report was accompanied by one from Mr. Parsons on the alluvial deposits of Nuwara Eliya. Gems and gold were found, but in the absence of means of sinking shafts to the necessary depth no decisive results were obtained.

The thirteenth report, dated the 5th August 1905, describes Dr. Coomaraswamy's journey from Matale in the centre of the island to Trincomalee on the north-east coast. An examination was made of the marbles employed in ancient times for architectural and statuary purposes. Numerous secondary limestone deposits (travertine or kankar) also occur. From Trincomalee Dr. Coomaraswamy visited Kuchaveli, about 30 miles to the north-west along the coast, examining limestone and other deposits *en route*. From Trincomalee he travelled to Anuradhapura in the North Central Province, where there are ancient statues of Ceylon marble. Here was a deposit of mica, which, however, was too much flawed to be of value.

At the same time Mr. Parsons made a rapid traverse through the north and west of the Island. From Kurunegala he travelled north-west to Anuradhapura, and thence north-west to Paravanalankulam on the road to Manaar. After returning to Anuradhapura he proceeded to Mihintale at the cross roads east of that place and investigated deposits of crystalline limestone and clay with a view to determine their adaptability for the manufacture of Portland cement. Graphite deposits were found in the neighbourhood, but the only deposit in the North Central Province which is worth working is at Mihintale on the Kurunegala road.

The fourteenth interim report was dated the 16th November, 1905. It described Dr. Coomaraswamy's work in Ruanwella and Mapitagama near the Kelaniganga and Avissawella near the Sitawaka ganga in the Western Province. Numerous graphite mines were examined in the neighbourhood of Ruwanwella and Mapitagama and various gemming localities near the latter place. The most important work was, however, done on the Getaheta Oya, which enters the Sitawaka ganga near Avissawella and its tributary the Sehel Oya, where monazite, galena and a little gold were found. The gemming deposits of the Getaheta Oya which contained sapphires are described. A little thorite was found at Magahahena. In the Sitawaka ganga both gold and monazite were found in some abundance.

Meantime Mr. Parsons devoted himself mainly to the deposits of heavy minerals in the valley of the Weganga to the south-west of Ratnapura in the Sabaragamuwa Province. The stream was dredged and a number of minerals including thorianite, geikielite, monazite, gold and possibly thorite and platinum were obtained. Hearing of his work in the district, the native prospectors found a considerable deposit of thorianite in a small stream known as the Diganidola. It is, however, now exhausted. Mr. Parsons also found a deposit of thorianite near the source of the Amuhena tenne dola, from which the native owner obtained two hundredweights.

A large sample of thorianite is supposed to have come from the Madola and its source the Tun dola. Mr. Parsons visited these localities but was prevented by the weather from making a satisfactory examination. There appears to be a considerable amount of alluvium. Numerous other streams were examined, and thorium minerals were found to be widely distributed, but scarcely in commercial quantities. Cassiterite was found at Pohorobawa and Kuruwita.

The fifteenth report was dated the 27th April, 1906, including the period from January to April in that year.

Sands and heavy minerals were collected by Dr. Coomaraswamy in the neighbourhood of Kandy, and of Kilulgala in the Kegalla District of the Western Province, but with unfavourable results. In the latter area corundum and zircon were found, and gems would probably be met with, if carefully searched for, in small amount. Gold and monazite were found, but no thorianite. Dr. Coomaraswamy then proceeded eastward to Deraniyagala and the river Sitawaka ganga, which proved to contain monazite, gold, and microscopic thorianite. He next turned to the Maskeliya district, halting at Laxapana below Adam's Peak. The Maskeliya (or Kelani ganga) yielded corundum and zircon. A fine catseye has also been obtained from it.

He describes the interesting and important graphite deposits of Laxapana, one of the few "up country" graphite mines. The patana (open country) of Gavarawela tenne on the dividing ridge

between the Central and Sabaragamuwa Provinces and only three miles from the thorianite deposits of Bambarabotuwa was examined. Only corundum was obtained, but traces of gold and monazite were met with at the surface. Deposits of blue corundum at Annandale at the head of the Maskeliya valley were also examined, but they were not regarded as of commercial importance.

On the Dunbar Estate near Hatton (a railway station in the Maskeliya valley) gems as well as rutile were found to occur, though not in payable quantities. It is here that the associated spinel and andalusite were found which have already been reported on. It was found not to occur *in situ*.

A report by Mr. James Parsons was received at the same time, from which it appears that he spent the first quarter of the year in the valley of the Gin ganga, the Galle District of the Southern Province.

He first examined some deposits of asbestos (probably the anthophyllite variety, not chrysotile as believed by Mr. Parsons) associated with crystalline limestone at Tiranagama, a village on the coast about 12 miles north-west of Galle, and at Mawadawila, an inland village about three miles distant. The graphite mines in the same neighbourhood were also examined, as well as the low-lying gemming deposits on the Monrovia Estate at Dodanduwa, ten miles north-west of Galle. Zircon, chrysoberyl and corundum are met with, but valuable gems, transparent zircons (jargoons) and catseyes are rare. The sapphires lack transparency. Specks of gold were also met with, as well as thorianite and monazite.

Thence he proceeded to Udugama on the Gin ganga, through country reported to contain a number of gemming localities, though little was found in the places examined. The gemming localities in the neighbourhood of Udugama itself were described in the ninth report.

He proceeded up the river to Hiniduma, where the Pitambi Ela yielded transparent zircons and chrysoberyl, as well as gold in promising amount; thence he went to Neluwa, 10 miles to the north-west to examine the thorianite deposit at Balagalowita in the adjoining village of Maddegama. The deposit occurred in the bed of a stream that flows only in the wet season and appeared to be nearly exhausted. Making excavations near the source of the stream Mr. Parsons discovered a decomposed pegmatoid vein running N.W. and S.E., rich in mica and ferruginous material, and yielding six pounds of thorianite to the ton.

Considerable time was spent in prospecting for further deposits in the neighbourhood, but with little success. The nearest deposits are those north-west of Galle above referred to. The thorianite deposits at Erabadda are 20 miles distant, and those at Bambarabotuwa 30 miles.

The sixteenth report is dated the 31st July, 1906, and referred to the work carried out in the months of May, June, and July.

Dr. Coomaraswamy spent a fortnight in examining Pattipola and the Horton Plains near Nuwara Eliya. A fragment of chrysoberyl and much pale blue clear corundum were found. After four weeks' leave he proceeded to Madugoda, 29 miles east of Kandy, where some fragments of thorite were observed in the Kahatagolla Oya in Haliyala, and monazite was found in an "augen gneiss" near Nugatenna pass, consisting mainly of quartz, orthoclase and biotite. A small graphite mine occurs in the same neighbourhood.

He then visited Mimure to examine the "nitre cave" at the base of a cliff of crystalline limestone. The nitre is derived from the bats' droppings, which are also used for manure. The deposit is not of commercial importance. A little graphite is found near Mimure. In a coarse pyroxene rock exposed in the river about half a mile above the junction of the Ma Oya with the Hui ganga, are crystals of sphene one or two inches in length, some of which were sent for analysis in case any rare elements might be found. The river deposits at Teldeniya were examined without any favourable result. He also visited the moonstone pits at and near Rajawela and describes the mode of occurrence of the mineral.

During the same period Mr. Parsons carried on investigations in the Central, Uva and Sabaragamuwa Provinces.

Near Ragala in the Central Province he examined a pale green serpentine rock exposed in the stream flowing into a tributary of the Halgrandya in the village of Rupaha. It is associated with limestone. Where there is parallel intergrowth with the limestone, it may be described as a cipollino and presumably may be used for ornamental purposes. The alluvial deposits were examined but without satisfactory results.

At Welimada, in the Uva Province, Mr. Parsons observed a spinel mica rock which was in some places almost entirely composed of pinkish blue spinel. The micaceous part of the rock resembled the matrix of the thorianite at Maddegama, Hiniduma, described in the tenth report. A small pit was accordingly sunk in the stream, and on washing the gravel, some unworn fragments of thorianite were obtained. On washing the decomposed material of the vein itself crystals of thorite were obtained, as well as traces of thorianite, but the latter only near the surface. Another pit sunk in the gravel below this point yielded both minerals. Traces of gold were obtained from a pit on the bank of the Welimada Oya.

At Dehiwinne to the north-east, six pits were sunk in the alluvium, but no results of importance were obtained. At Landewela near Bogoda still further to the north-east where

Mr. Parsons had previously observed a similar spinel mica rock he now sank some pits close to the exposure of this rock and found both thorianite and thorite in small quantity. A few grains of the latter were found in the rock itself.

This spinel mica rock, which appears to be the source of the thorianite, is a special development of a quartz orthoclase rock. Bogoda is not a gemming locality; it is, therefore, in Mr. Parsons' opinion, worth prospecting for thorianite in other than gemming districts, taking the occurrence of rocks of the characters described as a guide. The numerous clear pink spinels at Bogoda would be valuable as gems if they were larger. Pink corundum was also found.

The most important feature of these reports is the discovery of thorianite in minute crystals in alluvial sandy beds, and, what is still more important, *in situ* in decomposed crystalline rocks.

RESULTS OF THE EXAMINATION OF MINERALS.

Consignment No. 11.

This collection of minerals included 31 specimens, most of which were sand "concentrates," obtained from the beds of rivers and streams. They are described in Progress Report No. 11, dated 6th May, 1905, dealing with Ratnapura and the Eastern portion of the Western Province.

CnC. 155 (*C.M.S.* 1), "Sand with thorianite and gold, Niriella ganga."

CnC. 156 (*C.M.S.* 2), "Same as 155, but more thoroughly washed."

These two concentrates consist mainly of ilmenite with small amounts of zircon, garnet, monazite, thorianite, cassiterite (tinstone), spinel, gold, rutile and quartz.

A portion of CnC. 155 was chemically examined, only the constituents likely to be of economic value being estimated. The results obtained were as follows :—

—		Per cent.
Stannic oxide	SnO_2	1·08
Thoria	ThO_2	0·59
Ceria and associated oxides	Ce_2O_3, &c.	4·17
Gold	Au	0·50 oz. per ton.

These results indicate that the concentrate contains about one per cent. of tinstone and about six per cent. of monazite with traces of thorianite.

A portion of the monazite was isolated from this concentrate and separately analysed. It was found to contain 10·75 per cent. of thoria, and is therefore unusually rich in this oxide like all the samples of Ceylon monazite so far examined (Report on the result of the Mineral Survey, 1904–5, [Cd. 3,190], p. 30).

If monazite of this quality could be obtained in quantity it would be readily saleable as a source of thoria. The present value of monazite is about £5 per ton for each unit per cent. of thoria present. A method suitable for the separation of thorianite and monazite from Ceylon sands has been published in the "Bulletin of the Imperial Institute," 1905, III. p. 285.

A representative portion of specimen CnC. 156 gave the following results on analysis :—

—		Per cent.
Thoria	ThO_2	17·82
Ceria and associated oxides	Ce_2O_3, &c.	3·26
Gold	Au	2·23

These results indicate that this concentrate contains about 26 per cent. of thorianite, five per cent. of monazite, and over two per cent. of gold. The sample is described as from the same source as CnC. 155, but more thoroughly washed. Comparing CnC. 155 and CnC. 156 it would appear that in the latter, concentration of the thorianite and gold has been effected with considerable loss of monazite.

CnC. 157 (*C.M.S.* 3), "Black sand without gold or thorianite ; from the upper deposits, Niriella ganga."

This consists chiefly of ilmenite and quartz with small quantities of garnet, monazite, zircon, rutile, spinel, and pyrite. On analysis this sample gave the following results :—

—		Per cent.
Stannic oxide	SnO_2	0·05
Thorium ,, ...	ThO_2	0·17
Cerium and associated oxides	Ce_2O_3,&c.	0·46

The amount of thoria in this concentrate is small and the latter is probably derived from a deposit which is too poor to be worth working. No information was supplied as to the amounts of concentrate obtained from the deposits of the Niriella ganga nor as to the extent of this deposit likely to yield gold or thorium-bearing minerals, but it may probably be assumed that the yields are small. If the deposit has been washed at the

most promising points in order to obtain these three concentrates (CnC. 155 to CnC. 157) it would appear that except possibly where gold occurs as well as monazite and thorianite it would not be worth working.

CnC. 158 (*C.M.S.* 4), "Black sand from Miniran deniya, Elapata."

This was obtained from a small stream about two yards wide. It is stated that the stream contains gold which is remarkable as occurring in dendritic forms.

No gold was observed in the sample of sand sent to the Imperial Institute, the chief constituents found being garnet, zircon, geikielite (compare Report for 1904–05, [Cd. 3190], p. 40), quartz, spinel, rutile and monazite. The amount of monazite present is very small, probably not amounting to more than one per cent., and thorianite is apparently absent.

CnU. 159 (*C.M.S.* 5), "Black sand from Weralupe dola, Ratnapura, with gold and thorianite."

The progress report states that the district in which this concentrate was prepared is considered a good one for gold, and the "illam" found there is said to be rich in gems. The constituents of this sample are roughly as follows: ilmenite 25 per cent., thorianite 19 per cent., tinstone 15·5 per cent., monazite 11 per cent., with small quantities of zircon, garnet, spinel, quartz and gold; a number of small pellets of lead (probably artificial) are also present in the sample.

A representative portion of the specimen was analysed and gave the following results :—

		Per cent.
Stannic oxide	SnO_2	15·33
Thoria	ThO_2	13·44
Uranoso-uranic oxide ...	U_3O_8	5·86
Ceria and associated oxides	Ce_2O_3, &c.	6·41
Lead	Pb	2·36
Titanium dioxide	TiO_2	13·70
Ferrous oxide	FeO	13·50
Phosphoric oxide	P_2O_5	3·57
Gold	Au	8·1 oz. per ton.

The thorianite, tinstone, monazite and gold are all present in this concentrate in quantities which would repay working, and the commercial value of a concentrate of this composition, calculated from the present values of these four constituents and excluding the cost of separation, would be about £212 per ton It would be of interest to know whether the crude gravel from which this concentrate was prepared occurs in large quantity, and what yield per cent. of concentrate is obtainable from it.

Cn C. 160 (*C.M.S.* 6), "Black sand from Weganga at Marapana with little gold and no thorianite."

This concentrate consists mainly of ilmenite with small amounts of magnetite, zircon, monazite, garnet, rutile, and traces of gold. On analysis 0·7 per cent. of thoria and 0·37 per cent. of stannic oxide were obtained. The sample was too small to assay for gold. The quantities of thoria and stannic oxide found are too small to make this material of any economic value.

Cn C. 161 (*C.M.S.* 7), "Black sand from Bambarabotuwa Oya above Malwela, with gold and thorianite."

This specimen is described as having been collected while the river was in flood, so that dredging was difficult. The sand consists mainly of ilmenite and magnetite with small quantities of other heavy minerals, such as thorianite (about two per cent.), zircon, monazite (about three per cent.), rutile, garnet, and gold.

The concentrate gave the following results on analysis:—

—		Per cent.
Thoria	ThO_2	1·64
Ceria and associated oxides	Ce_2O_3, &c.	1·88
Uranoso-uranic oxide ...	U_3O_8	0·79
Stannic oxide	SnO_2	0·08
Gold	Au	0·013

The alluvium might be worth working in this case if the yield of concentrate of this quality from it is large.

Cn C. 162 (*C.M.S.* 8) "Black sand from Walaweganga at Morahela, Balangoda, with gold and thorianite."

This sand contained thorianite (about 43 per cent.), monazite (about 5 per cent.), gold (about 9·5 per cent.) together with considerable quantities of ilmenite and smaller amounts of zircon, magnetite, and garnet.

On analysis it gave the following results:—

—		Per cent.
Thoria	ThO_2	31·66
Ceria and associated oxides	Ce_2O_3, &c.	2·87
Uranoso-uranic oxide ...	U_3O_8	10·61
Gold	Au	9·62

This sample is relatively much richer in gold (215 lb. per ton), as compared with the amounts of thorianite and monazite, than are any of the other concentrates included in this consignment. Material of the same composition as this concentrate would be of considerable commercial value as a source of uranium, thorium

and gold, but in the absence of any information as to the relation between the concentrate and the crude alluvium no definite opinion can be expressed as to the value of the deposit.

CnC. 163 (*C.M.S.* 9), "Thorite, Massena Estate, Balangoda. Good crystals."

This sample consisted of a number of brownish fragments most of which were irregular in shape. A few of the fragments are roughly faceted, but only two show anything approaching to a definite crystalline shape, and even in these cases the faces are so worn that crystallographic measurements are impossible.

A partial analysis was made of one of the crystals and this gave the following results :—

—		Per cent.
Thoria	ThO_2	70·7
Ceria and associated oxides	Ce_2O_3,&c.	2·04
Uranoso-uranic oxide ...	U_3O_8	0·15
Silica	SiO_2	13·70

These results correspond very closely with those obtained by the analysis of specimens CnC. 54 and CnC. 55, recorded previously (Report for 1904–5, [Cd. 3,190], p. 20).

CnC. 164 (*C.M.S.* 10), "Zircon from Bambarabotuwa" (sample from Mr. Holland).

This sample consisted of broken crystals of zircon. It is referred to in a letter from Mr. Holland to the Colonial Secretary of Ceylon, dated the 8th April, 1905, stating that he had been informed that zircon was in considerable demand for the manufacture of zirconia and asking for information as to the commercial value of the mineral. It is true that zirconia is now being employed for the manufacture of the filaments used in certain types of electric lamps, but the outlet in this direction is small, whilst there is an abundant supply of zircons obtainable in Europe and elsewhere. Small quantities of Ceylon zircons have been sold recently in London at 6*d.* per pound, but only for experimental purposes.

CnC. 165 (*C.M.S.* 11), "Zircon-bearing nambu from Massena Estate, Balangoda."

This sample consists almost entirely of zircon and ilmenite, with some quartz and occasional grains or flakes of spinel, garnet, and mica. None of these constituents are of commercial value.

CnC. 166 (*C.M.S.* 12), "Mineral at first supposed to be xenotime; additional supply already sent from Mr. Armitage, Hatton."

CnC. 167 (*C.M.S.* 13), "Zircon similar to 12, from Mr. Armitage, Hatton."

These samples consist of zircon identical with CnC. 124 already reported on (Report for 1904–5, [Cd. 3190], p. 29).

CnC. 168 (*C.M.S.* 14), "Zircon, Bulatdiwanella, Gilimale." This sample consists mainly of zircon, and is practically identical with sample CnC. 165.

CnC. 169 (*C.M.S.* 15), "Undetermined mineral from Ratnapura district."

This is a large subangular pebble weighing about 400 grams, and having a specific gravity of 3·6. It is identical with specimens CnC. 141 and 142 of the 10th consignment, which proved to be pleonaste (Ceylonite). (Report for 1904-5, [Cd. 3190], p. 33).

CnC. 170 (*C.M.S.* 16), "Undetermined minerals from Mr. D. Bulatsinhala."

This sample consists of six pebbles, somewhat subangular in shape and much waterworn. They have been identified as follows:—

A.—*Thorianite* of low specific gravity (7·65). Weight, 1·5 grams.

B.—*Monazite.* Specific gravity, 5·23. Weight, 16·5 grams.

C.—*Monazite.* Specific gravity, 5·4. Weight, 5·4 grams.

D.—*Cassiterite* (tinstone). Specific gravity, 7·1. Weight, 13·0 grams.

E.—*Thorianite.*

F.—*Zircon.* Specific gravity, 4·03. Weight, 22 grams.

Of these specimens A and B were analysed. A was found to contain 51·75 per cent. of thoria, 32·01 per cent. of uranoso-uranic oxide, and 2·67 per cent. of lead oxide. It is therefore similar in composition to the special variety of thorianite from Galle, referred to previously (Report No. 9 of this series, [Cd. 3190], p. 39) and fully described by Professor Dunstan and Mr. B. M. Jones, in a paper communicated to the Royal Society (Proceedings of Royal Society, 1906, LXXVII., p. 546). B was found to contain thoria 10·29 per cent., ceria and associated oxides 59·64 per cent., and phosphoric oxide 27·62 per cent. Its composition is therefore similar to that found for all the samples of monazite from Ceylon so far examined [Cf. Specimens CnC. 135, CnC. 143 (Report No. VIII. of this series, [Cd. 3190], pp. 30 and 34), and CnC. 155 in the present report.]

CnC. 171 (*C.M.S.* 17). "Crystalline limestone from Morahela, Balangoda, containing a black mineral."

The latter was regarded as ilmenite, and confirmation of the identification was asked for.

The black mineral consists of picroilmenite, which is intermediate in composition between ilmenite and geikielite. There appears to be a small amount of rutile intergrown with the

picroilmenite in this specimen as is shown by the following results of analysis :—

—		Per cent.
Titanic oxide	TiO_2	64·72
Silica	SiO_2	0·70
Ferric oxide...	Fe_2O_3	2·66
Ferrous oxide	FeO	16·59
Manganous oxide	MnO	0·42
Magnesia	MgO	15·76

CnC. 172 (*C.M.S.* 18). "This fragment appears to be geikielite and is sent for exhibition. It might be well to confirm the identification."

This is a typical specimen of geikielite, identical with that referred to previously (Report No. IX of this series, [Cd. 3190], p. 40).

Picroilmenite and geikielite are of no commercial importance, though small quantities may occasionally be sold as specimens to museums and dealers in mineralogical specimens.

CnC. 173 (*C.M.S., A*), "'Littoral concrete,' Bentota, for examination as to its suitability for burning to hydraulic lime."

This is a light coloured shelly limestone with a porous texture. It is rich in the calcareous remains of molluscs, corals, &c., but the pores and hollows are filled with grit and sand.

The specimen gave the following results on analysis :—

—		Per cent.
Lime...	CaO	33·00
Magnesia	MgO	3·57
Alumina	Al_2O_3	2·84
Ferric oxide...	Fe_2O_3	0·96
Soda	Na_2O	0·43
Potash	K_2O	0·17
Silica	SiO_2	27·53
Phosphoric oxide	P_2O_5	0·20
Sulphuric oxide	SO_3	0·99
Chlorine	Cl	0·28
Carbon dioxide	CO_2	26·86
Water, combined	H_2O	2·47
Moisture	—	0·60

The results show that this material contains too much silica to be suitable for the manufacture of good hydraulic lime. Further, the silica is present in the form of large, rounded granules, so that combination between it and the lime which is necessary in making hydraulic lime would not readily take place.

The following analyses of typical limestones from Teil, in France, employed in making hydraulic lime, may be quoted as examples of what the composition of crude material for burning should be :—

—		Aliznole Quarry.	Gaillant Quarry.	Tintiere Quarry.
		Per cent.	Per cent.	Per cent.
Lime	CaO	47·49	47·00	45·50
Magnesia	MgO	—	—	—
Alumina	Al_2O_3	0·6	0·65	0·81
Iron oxides	—	0·5	trace.	trace.
Silica	SiO_2	12·4	13·75	16·89
Carbon dioxide	CO_2	37·31	36·93	35·67

A trial of the setting properties of the lime prepared from this 'littoral concrete' was made as follows :—About 200 grams was reduced to a powder, which passed through a sieve having 50 meshes to the linear inch; this was then burnt at about 1200° C. The resulting powder was made into a soft paste with just sufficient water and then poured into a test-block. This test piece 'set' like a lime or lime-sand mixture. After allowing it to harden for three days in a moist atmosphere, it was placed in water, when it crumbled to powder after a few hours. The lime made in this way therefore possesses no marked hydraulic properties.

CnC. 174 (*C.M.S., B*), "Black sand from gold washing, Pelawatta, for examination for gold and thorianite."

This sand consists chiefly of ilmenite, and garnet, with small quantities of zircon, rutile, monazite and quartz. Traces of thorianite may be present, but no gold could be detected in the sample.

A partial analysis gave the following results :—

—		Per cent.
Thoria	ThO_2	0·36
Ceria and associated oxides	Ce_2O_3, &c.	1·14
Phosphoric oxide	P_2O_5	1·37
Gold	Au	Nil

Mr. Parsons states that he obtained six specks of gold from the upper 'malawa' in this river, and that this sample of black sand was sent for examination since it might contain invisible gold and thorianite. An attempt was made to dredge the river, but the water was too deep, and the current too strong to allow the 'malawa' to be reached. The sample received cannot therefore be considered as representative of the whole bed, but so far as it goes it gives no indication of the occurrence of valuable minerals or gold in quantities likely to pay for working.

CnC. 175 (*C.M.S., C*), "Black sand from gold washing, Karawita, for examination for gold and thorianite."

This sample is similar in mineral composition to CnC 174, but differs from the latter in containing less garnet and possibly a trace of tinstone.

By electromagnetic separation the sample was found to have the following mineral composition :—

——	Per cent.
Ilmenite with a little garnet	90·5
Almost pure monazite	2·8
Zircon, rutile and quartz, with possibly a trace of tinstone ...	6·6

Assuming the monazite to be of the normal Ceylon type, containing about 10 per cent. of thoria, it follows that this concentrate does not contain more than 0·3 per cent. of thoria, and this is so small that the concentrate cannot be regarded as having any commercial value.

CnC. 176 (*C.M.S., D*), "Vein quartz, Karawita, for examination for gold."

This is a specimen of ordinary massive quartz, somewhat discoloured by iron oxide.

The specimen was assayed for gold and the latter proved to be absent. It is noteworthy that no gold has been found in any of the samples of vein quartz so far received from Ceylon.

CnC. 177 (*C.M.S., E*), "? Platinum, Karawita."

This specimen consisted of a single grain of white metal, weighing 4·2 milligrams.

The specimen on analysis gave the following results :—

——	Per cent.
Silver	Nil
Gold	Nil
Platinum and associated metals ...	100

The examination showed that the speck of white metal consisted of platinum, together with small amounts of osmium and iridium, which were not determined. The occurrence of platinum has not been recorded previously in Ceylon, and as the price of the metal is now very high, this occurrence is of some importance and a careful search for the metal should be made.

CnC. 178 (*C.M.S., F*) "Cassiterite, Marapona."

This sample consists of small subangular pebbles and grains, the total weight being about 6·5 grams. Its specific gravity is 7·15. The sample is identical with CnC. 146 of the 10th consignment (see Report No. VIII of this series, [Cd. 3190], p. 36) in its

physical characters, and it appeared unnecessary to do more than confirm the identity of the mineral.

CnC. 179 (*C.M.S., G*), "Zircon, Erabadda."

This sample consists of a number of dark brown crystals of zircon, having the typical form of this mineral, and a specific gravity of 4·50.

The sample on analysis gave the following results :—

——	Per cent.
Thorium oxide ... ... ThO_2	—
Zirconium oxide ... ... ZrO_2	66·35
Ferric oxide ... ... Fe_2O_3	0·83
Silica ... ... SiO_2	32·35
Loss on ignition ... ... —	0·23

These results are only of interest as showing that this sample of zircon contains no thoria, whereas small quantities of this oxide have usually been found in the Ceylon zircon previously examined.

CnC. 180 (*C.M.S., H*), "Thorianite, Amuhentenna, Erabadda."

This sample consists of four small pieces of thorianite, three of which are irregular in shape, whilst the fourth is a typical cube. The specific gravity of the sample is 9·14. It was considered unnecessary to analyse this specimen.

CnC. 181 (*C.M.S., K*), "Thorianite, Kunamillehena Ela, Erabadda."

CnC. 182 (*C.M.S., L*), "Thorianite, Tun Dola, Lelipitiya."

CnC. 181 consists of irregular fragments of thorianite, somewhat similar to those of CnC. 180, and has a specific gravity of 9·05. CnC. 182 consists of incompletely developed cubes, the specific gravity being 8.83.

Samples of these minerals gave the following results on analysis :—

——	CnC. 181.	CnC. 182.
	Per cent.	Per cent.
Thoria ... ... ThO_2	62·82	61·69
Uranoso-uranic oxide ... ... U_3O_8	29·11	28·34
Ceria and associated oxides ... ... Ce_2O_3,&c.	1·79	0·86
Lead oxide ... ... PbO	3·05	2·31
Zirconia ... ... ZrO_2	—	1·02
Calcium oxide ... ... CaO	0·27	0·15
Ferric oxide ... ... Fe_2O_3	1·22	2·80
Silica ... ... SiO_2	—	0·64
Insoluble residue ... ... —	0·22	—
Loss on ignition ... ... —	1·32	1·10

The remarks made with regard to specimen CnC. 170A apply equally well to these two specimens of thorianite.

CnC. 183 (*C.M.S.*, *M*), "? Mineral allied to samarskite, Nuga Dola, Dela."

This includes two small specimens; one weighed 1·2 grams and had a specific gravity 5·50, the other weighed 1·5 grams and had a specific gravity 4·95.

They are identical with specimens which have been received previously from Ceylon under the name of "annerödite," and which have been shown to be fergusonite. (Compare Report on specimen CnC. 145, [Cd. 3190], p. 35). Fergusonite varies somewhat in its specific gravity and general physical characters, the variation being due probably to the degree of hydration.

CnC. 184 (*C.M.S.*, *N*), "? Thorite, Nuga Dola, Dela."

This includes two specimens, both of which are small grains; one of them has the mineralogical characters of monazite, and the other, those of thorite. The specimens were too small for analysis.

CnC. 185 (*C.M.S.*, *O*), "Galena, Nuga Dola, Dela."

This is a small cleavage fragment of galena weighing only about 0·75 gram. It is stated that "this appears to be the first definite observation of the occurrence of galena in Ceylon." The specimen is on that account interesting, but it is too small to permit of a silver assay being made. If any quantity of this galena occurs larger samples should be submitted.

Consignment No. 12.

These samples are described in Progress Report No. 12, dated the 16th June, 1905.

CnC. 186 (*C.M.S.* 1), "Molybdenite, Hettimulla."

This sample consists principally of molybdenite, but graphite, quartz, and magnetite are also present, together with grains of felspar and flakes of biotite mica. Selected fragments of the molybdenite showed a specific gravity of 4·72; in this respect and in its other characters the material appears to be quite typical.

A sample of the mineral gave the following results on analysis :—

——		Per cent.
Molybdenum	Mo	50·79
Iron	Fe	2·03
Sulphur	S	36·89
Alumina, &c.	Al_2O_3, &c.	1·39
Silica...	SiO_2	3·86
Graphite	—	4·62

This is a good specimen of molybdenite. According to the Progress Report the molybdenite-bearing pegmatite deposit is neither extensive nor rich in the mineral. The material placed on the market should contain over 45 per cent. of metallic

molybdenum. Molybdenite of the same quality as the sample now submitted would be commercially valuable. There appears to be a steadily increasing demand for molybdenite which is used in the manufacture of molybdenum and molybdenum steels. The price offered is subject to considerable variation, but at present ore containing 50 per cent. of molybdenum is worth about £100 a ton.

A method has been devised for the concentration of molybdenite from impure ores which depends upon reducing to powder all the constituents of the ore except the foliated minerals, such as mica and molybdenite itself, which are then separated by sifting.

Recently the Elmore process of concentration has been tried on a large scale for the separation of molybdenite, and is said to be suited to the treatment of this mineral, almost pure molybdenite being produced.

It is probable that in the case of the Ceylon mineral, graphite would remain with the molybdenite, but this would not seriously depreciate its value for manufacturing purposes.

CnC. 187 (*C.M.S.* 2), "Carbonaceous matter. Siyambalapitiya."

This sample is described as a "carbonaceous material differing from graphite, but forming stringers and occupying crevices in the country rock . . . the material appears to be amorphous and produces a remarkable blackening of the rock with which it is associated."

An examination of the sample indicates that the black material is not carbonaceous but consists of crushed biotite, which is somewhat chloritised and contains irregular lumps of quartz embedded in it. A small amount of calcite and felspar are also present. Its mineral composition and also its "slickensided" appearance indicate that the sample is of the complex type characteristic of a fault rock.

An analysis of the sample gave the following results :—

——		Per cent.
Carbon	—	Nil
Silica...	SiO_2	52·46
Alumina	Al_2O_3	11·59
Titanium oxide	TiO_2	1·09
Ferric oxide	Fe_2O_3	0·10
Ferrous oxide	FeO	9·76
Manganous oxide	MnO	0·37
Lime	CaO	3·96
Magnesia	MgO	7·39
Copper oxide	CuO	0·10
Potash	K_2O	0·08
Soda	Na_2O	1·10
Phosphoric oxide	P_2O_5	0·20
Carbon dioxide	CO_2	0·11
Sulphur	S	0·56
Moisture and combined water	—	10·73

On treating a sample of the blackest material with hydrofluoric acid, it was completely dissolved indicating that no graphite or carbonaceous material was present. On treatment of a coarsely ground sample with dilute sulphuric acid a nearly colourless residue was obtained which contained mica, quartz, and other minerals.

Dr. Coomaraswamy states with regard to this material that its examination and determination will be of value and interest in connection with the origin of graphite and distribution of veins. Its composition as shown by the analytical results given above is, however, not likely to throw light on this subject.

CnC. 188 (*C.M.S.* 3), "Nambu. Mawanella."

This sample consists almost entirely of a mixture of magnetite, garnet, and limonite with a small amount of quartz.

An analysis of a sample showed that no rare earth minerals are present.

CnC. 189 (*C.M.S.* 4), "Black sand (Mr. Parsons). Moon Plains. N. Eliya."

This is a dark coloured sand containing some monazite. The other minerals present are ilmenite, zircon, quartz, rutile, and gold.

A sample of the sand was analysed and gave the following results :—

		Per cent.
Thoria	ThO_2	0·71
Ceria and associated oxides	Ce_2O_3, &c.	7·05

The sample was so small that the gold and other constituents could not be estimated, and the results are merely sufficient to indicate the presence of monazite. It is impossible, from the recorded information, to come to any definite conclusion as to the value of this area.

Alluvium comparatively poor in gold is now being worked successfully in North America by dry dredging operations on a large scale, and it would perhaps be well to have this area, which seems to have a good local reputation as a gem and gold-bearing district, more thoroughly prospected in order to ascertain whether or not it would repay working by modern methods.

Consignment No. 13.

These samples are described in Progress Report No. 13, dated the 5th August, 1905.

CnC. 192 (*C.M.S.* 5), "Ilmenite sand, Challi (seashore) Trincomalee ; to be examined for thorium-bearing minerals."

This sample consists of black sand the chief ingredients of which are magnetite and ilmenite. Other minerals present are garnet, rutile, zircon, amphibole, hypersthene and quartz. A number of calcareous shell grains are also present.

An analysis of a sample of the sand showed that no thorium or other rare earth minerals are present.

CnC. 193 (*C.M.S.* 6), "Ilmenite sand, Alutoya, Trincomalee road; to be examined for thorium-bearing minerals, &c."

The chief ingredient of this sand is garnet; ilmenite and magnetite are also present, as are also small quantities of sillimanite, zircon, quartz, rutile, spinel, and traces of monazite.

The quantity of monazite present was so small that it was considered unnecessary to make an analysis.

CnC. 194 (*C.M.S. I*), "Needle salt from Palari salt pans, Puttalam."

The needle salt crystals were of irregular growth, and did not show any definite form.

The analysis of a sample gave the following results :—

—	Per cent.
Magnesia ... ... MgO	15·88
Sulphuric anhydride ... SO_3	29·91
Water ... ... —	50·64

The sample was so small that a complete analysis could not be made, but a qualitative test showed that some chlorine was present. The salt contains no iodides or bromides. The results indicate that the material is crystallised magnesium sulphate of the composition $Mg\ SO_4, 7H_2O$.

The "Epsom salts" of commerce was formerly made in this way in Europe, and if there is a fair local demand for this material in Ceylon, it might be worth while to recover a portion of the "needle salt" from the mother liquors.

CnC. 195 (*C.M.S. II.*), "Common salt from Western pans, Puttalam."

The common salt crystals were whitish with a faint yellow tint, and had the characteristic hopper shape.

A portion of the material was analysed and gave the following results :—

—		Per cent.
Soluble in water	Sodium chloride ... ... NaCl	92·00
	Sodium iodide ... ... NaI	trace.
	Sodium bromide ... ... NaBr	trace.
	Magnesium chloride ... ... $MgCl_2$	2·53
	Magnesium sulphate ... ... $MgSO_4$	0·45
	Calcium chloride ... ... $CaCl_2$	0·11
	Water ... ... H_2O	2·94
Insoluble in water	Silica ... ... SiO_2	1·12
	Alumina ... ... Al_2O_3	0·36

The amount of sodium chloride calculated on the dry material is 94·8 per cent., and this is equal in quality to much of the common salt of commerce, such as that made on the Mediterranean Coast from sea water, as the following analyses show :—

	St. Ubes.	Cadiz.	
	Per cent.	Per cent.	Per cent.
Sodium chloride	95·19	92·46	92·11
Magnesium chloride	—	0·55	—
Magnesium sulphate	1·69	0·66	0·99
Calcium sulphate	0·56	2·28	0·33
Water	—	3·10	6·30
Insoluble matter	2·45	0·95	0·27

Neither of these samples (CnC. 194 and CnC. 195) contain more than traces of bromides or iodides, and it would be well to send a specimen of the mother liquor for examination for these constituents.

CnC. 196 (*C.M.S. III.*), "Limestone, Weli Oya, Mihintale ; for determination of cement-forming qualities."

This is white, massive, crystalline limestone, consisting apparently of pure calcite.

The specimen was not analysed, but a qualitative test showed that it consisted of practically pure calcium carbonate, and would be suitable for the manufacture of a good quality lime for making mortar and cement.

CnC. 197 (*C.M.S. IV.*), "Clay from near Mahakanadarawawewa, Mihintale ; for determination of cement-forming qualities."

This is a compact, non-laminated mudstone, containing a considerable amount of sandy and gritty material.

The sample gave the following results on analysis :—

		Per cent.
Silica...	SiO_2	52·10
Alumina	Al_2O_3	18·93
Ferric oxide...	Fe_2O_3	4·93
Ferrous oxide	FeO	2·55
Lime...	CaO	1·97
Magnesia	MgO	1·25
Soda	Na_2O	0·78
Potash	K_2O	0·81
Carbon dioxide	CO_2	0·18
Combined water	H_2O	8·03
Organic matter	—	3·19
Moisture	—	5·55

It is very probable that a good cement could be manufactured by using the two materials CnC. 196 and CnC. 197 in the

proportion of one part of the clay to three parts of the limestone. It will be necessary, however, to send samples of at least 20 lb. of the limestone, and 10 lb. of the clay, before technical trials can be made.

Cn C. 198, "Galena nambu from Getaheta Oya, Avisawella district," referred to in a letter from the Director of the Survey, dated the 9th October, 1905.

This sample contains over 50 per cent of galena, in grains averaging about 4 mm. in diameter. The remainder is chiefly garnet, limonite and quartz, with small quantities of spinel and biotite.

A portion of the sample was assayed and gave the following results :—

Metallic lead	41·6 per cent.
Silver	0·8 oz. per ton.

As this occurrence of silver is in *nambu* there is probably but little of the mineral available so that it would not pay to work, especially as there is but little silver present. The specimen is therefore of interest solely as indicating the occurrence of galena in this form.

Cn C. 199, "Monazite sand from Getaheta Oya, Avissawella district," referred to in a letter from the Director of the Survey, dated the 9th October, 1905.

This is a black sand, consisting mainly of ilmenite and thorianite, with small quantities of garnet, monazite, zircon, rutile, quartz and gold.

A portion of the sample on analysis gave the following results :—

—		Per cent.
Thoria	ThO_2	15·56
Ceria and associated oxides	Ce_2O_3, &c.	2·06
Uranoso-uranic oxide ...	U_3O_8	7·98
Phosphoric acid	P_2O_5	1·65

This analysis shows that the concentrate contains about 24 per cent. of thorianite, which appears to be of the variety in which thoria is largely replaced by uranium (Dunstan and Jones, Proceedings of Royal Society, 1906, LXXVII, p. 546), and also 4 per cent. of monazite. The sample was too small to assay for gold.

The commercial value of the concentrate as a source of thoria would be, at present, about £150 per ton. Larger samples of this material should therefore be collected and an estimate obtained of the quantity available.

Consignment No. 14.

The samples included in this consignment are described in Progress Report No. 14, dated the 16th November, 1905.

CnC. 200 (*C.M.S.* 1), "'Annerödite,' Kanuketiya deniya, Mapitagama."

Like CnC. 183 this specimen is fergusonite, and the remarks made regarding the previous sample apply equally to this one.

CnC. 201 (*C.M.S.* 2), "Sand with monazite, Gonagala oya, Mapitagama."

This is black sand, consisting chiefly of ilmenite and garnet, with some zircon, monazite (about two per cent.), rutile, and quartz. Assuming the monazite to contain 10 per cent. of thoria the concentrate will contain only about 0·2 per cent. of thoria which is too small to be worth extracting commercially. No other minerals of economic value are present.

CnC. 202 (*C.M.S.* 3), "Sand with monazite, Lawpitiya oya, Mapitagama."

This sample is similar in appearance to CnC. 201. It differs from the latter in containing a fair amount of magnetite, rather less garnet, and a trace of thorianite. The amount of monazite is about the same in both.

CnC. 203 (*C.M.S.* 4), "Sand with monazite, Kiriwangala ela, Avissawella."

CnC. 204 (*C.M.S.* 5), "Sand with monazite, Walawita, Getaheta oya, Getaheta."

These are black sands containing ilmenite with small quantities of zircon, rutile, quartz, and traces of monazite. They are of no economic value.

CnC. 205 (*C.M.S.* 6.), "Sand with monazite, Sehel oya, Getaheta."

This is a black sand containing the minerals ilmenite, thorianite, zircon, garnet, monazite, quartz, rutile and gold.

An analysis of a portion of the sample gave the following results :—

—		Per cent.
Thoria	ThO_2	12·62
Ceria and associated oxides	Ce_2O_3, &c.	1·26
Uranoso-uranic oxide ...	U_3O	6·01

The sample contains about 19 per cent. of thorianite of the high uranium variety and one per cent. of monazite. The value of the concentrate, as a source of thoria, would be about £120 per ton. The sample was too small to assay for gold.

CnC. 206 (*C.M.S.* 7.), "Sand with monazite, Sitawaka ganga, Avissawella."

This is a black sand consisting chiefly of ilmenite, zircon, rutile, quartz and garnet; also traces of monazite and thorianite.

An analysis of a sample gave the following results :—

—		Per cent.
Thoria	ThO_2	0·31
Ceria and associated oxides	Ce_2O_3, &c.	0·41

These results show that some monazite and thorianite are present in the concentrate, but the quantities of these are too small to make the material of commercial value.

CnC. 207 (*C.M.S.* 8), "Gold with a silvery coating, Sitawaka ganga, Avissawella."

The specimen consists of four small pieces of gold irregularly coated with a silvery film. The entire sample weighed 0·0080 gram. After heating, gold having a pure yellow colour remained and its weight was found to be 0·0077 gram. The volatilised metal was collected on a gold capsule, which was found to have increased by the weight lost by the gold. This volatile material was identified as mercury. No further tests were made as the residual gold appeared to be pure or at least equal to that found in other specimens from Ceylon. This is the first occasion on which mercury has been detected in any Ceylon mineral collected during the Survey and it cannot safely be concluded that the mercury occurs naturally ; the irregular nature of the amalgamation may indicate that the mercury has been introduced into the stream in panning for gold. This question deserves further enquiry.

CnC. 208 (*C.M.S.* 9), "Nambu with galena, additional supply from Murutangala, Getaheta."

This is a duplicate sample CnC. 198 and the remarks made regarding the latter are applicable to this specimen.

CnC. 209 (*C.M.S., A.*), "Nambu, Narunkandure Dola, Dombagammana, Sab., probably containing various rare minerals."

This sample contains garnet, limonite, corundum, zircon and quartz. No thorianite or other rare earth minerals of economic value are present.

CnC. 210 (*C.M.S., B.*), "Nambu, Pusse Dola, Dela, Sab, probably containing thorite and monazite."

This sample contains the minerals garnet, ilmenite, limonite, zircon, quartz, and various small rock fragments. Rare earth minerals are present but only in traces.

An analysis made on an average sample showed the presence of 0·39 per cent. of oxides of thorium and cerium metals. This material is of no economic value.

CnC. 211 (*C.M.S., C.*), "Probably magnetite, Narunkandure Dola, Dombagammana."

This is a small sample of fragments of fairly pure magnetite. A partial analysis of a portion of the sample gave the following results :—

Result of Analysis.

—		Per cent.
Ferric oxide...	Fe_2O_3	71·65
Ferrous oxide	FeO	20·53
Titanic oxide	TiO_2	trace.

The ore contains the equivalent of 66 per cent. of metallic iron, and, in view of the fact that iron ores yielding only 60 per cent. of iron have been exported from India and New South Wales to this country, the occurrence of material of this quality near the coast may be of some importance, if large supplies are available.

CnC. 212 (*C.M.S., D.*), "Black spinel crystals (Ceylonite) Pussella."

These are typical octahedral crystals (cubic) of pleonaste (ceylonite), the iron-magnesia spinel, which is plentiful in the Ceylon gravels. Samples of this material have already been reported on (see remarks on specimen CnC. 169).

CnC. 213 (*C.M.S., E.*), "? Annerödite, Pussella, three fragments of different specific gravities."

This consists of three fragments of Ceylon fergusonite (see remarks on specimen CnC. 183).

CnC. 214 (*C.M.S., F.*), "Black sand, Weganga, with little gold, thorianite, and monazite. The determination of total thoria percentage would be of interest. Heavier portion."

This sand consists chiefly of ilmenite, but contains also small quantities of garnet, zircon, monazite, rutile, spinel, tinstone, hornblende, and gold.

An analysis of a sample gave the following results :—

—		Per cent.
Thoria	ThO_2	0·06
Ceria and associated oxides	Ce_2O_3, &c.	0·52
Stannic oxide	SnO_2	0·10
Gold	Au	0·6 oz. per ton.

The gravel from which this concentrate was obtained, would not pay to work as the amount of gold and rare earth minerals in it is very small.

CnC. 215 (*C.M.S., G.*), "Black sand, Weganga, lighter portion."

This is somewhat similar in mineral composition to CnC. 214, excepting that gold is absent and the other valuable minerals are only present in traces.

CnC. 216 (*C.M.S.*, *H.*), "Black sand, Narunkandure Dola, Dombagammana, Sab. Heavier portion. Gold, thorianite, and monazite."

CnC. 217 (*C.M.S.*, *K.*), "Black sand, Narunkandure Dola, lighter portion."

These two concentrates contain the same minerals, the only difference being that CnC. 216 is more concentrated than CnC. 217. The minerals present are ilmenite, garnet, thorianite, cassiterite, monazite, zirkelite, zircon, rutile, quartz, and gold. The sample is interesting as being the first in which zirkelite has been identified as an ingredient of a fine sand.

Analyses of representative portions of the samples gave the following results:—

—		CnC. 216.	CnC. 217.
		Per cent.	Per cent.
Thoria	ThO_2	10·24	4·58
Ceria and associated oxides	Ce_2O_3, &c.	0·55	0·68
Uranoso-uranic oxide	U_3O_8	4·25	2·27

These results indicate the following mineral composition:—

—	CnC. 216.	CnC. 217.
	Per cent.	Per cent.
Thorianite	15	7
Monazite	traces.	traces.

The value of the two concentrates for the thorianite they contain is approximately £90 and £40 per ton respectively.

CnC. 218 (*C.M.S.*, *L.*), "? Monazite or thorite, Pusse Dola, Dela, Sab."

This is a small pebble of monazite weighing about two grams. In general appearance it is typical but shows the unusually high specific gravity 5·42.

Analysis of a fragment of the pebble showed that it contained 14·31 per cent. of thoria, which is higher than that found in any sample of Ceylon monazite yet examined (see remarks on specimen CnC. 170B.)

CnC. 219 (*C.M.S.*, *M.*), "Annerodite, Hal Dola, Dela, Sab."

A small specimen of fergusonite, (See CnC. 183.)

CnC. 220 (*C.M.S.*, *N.*) "? Thorite, Narunkandure Dola, Dombagammana, Sab."

This is a specimen of monazite having a specific gravity of 5·32, and except for an outer shell of altered material it resembles many of the other specimens of Ceylon monazite already examined.

Commercial value of the river gravels and concentrates.

For convenience of reference the principal results of the chemical and mineralogical examination of these river gravels and concentrates are brought together in the following table.

Summary of analyses of river gravels and concentrates.

No.	Locality.	Principal chemical constituents.			Mineral constituents of economic value.		
		Thoria. ThO_2 per cent.	Stannic oxide. SnO_2 per cent.	Gold Au. Oz. per ton.	Thorianite. Per cent.	Monazite. Per cent.	Cassiterite. Per cent.
CnC.	Consignment No. 11.						
155	Niriella ganga	0·59	1·08	0·50	—	6·0	1·0
157	Do. (upper deposit) ...	0·17	0·05	—	—	1·0	—
158	Miniran deniya, Elapata	0·53	—	—	—	1·0	—
159	Weralupe dola	13·44	15·33	8·1	19·0	11·0	15·5
160	Weganga (Marapana) ...	0·70	0·37	—	0·5	3·0	0·5
214	Do. ...	0·06	0·10	0·6	—	1·0	—
161	Bambarabotuwa Oya (Malwela).	1·64	0·08	4·25	2·0	3·0	—
162	Walaweganga (Morahela).	31·66	—	215 lb.	43·0	5·0	—
174	Pelawatta ganga	0·36	—	—	—	3·0	—
	Consignment No. 12.						
189	Moon plains. N. Eliya ...	0·71	—	—	—	11·0	—
	Consignment 13.						
192	Challi (Seashore) Trincomalee.	—	—	—	—	—	—
199	Getaheta oya. Avissawella.	15·56	—	—	24·0	3·0	—
	Consignment No. 14.						
201	Gonagela oya, Mapitagama	—	—	—	—	—	—
202	Lawpitiya oya, Mapitagama	—	—	—	—	—	—
205	Sehel oya, Getaheta ...	12·62	—	—	19·0	1·0	—
206	Sitawaka ganga, Avissawella.	0·31	—	—	1·0*	—	—
209	"Nambu" Narunkandure dola, Sab.	—	—	—	—	—	—
210	"Nambu" Pusse dola, Sab.	—	—	—	0·5*	—	—
216	Narunkandure dola, Sab. (Heavier portion)	10·24	—	—	15·0	—	—
217	Narunkandure dola, Sab. (Lighter portion).	4·58	—	—	7·0	—	—
174	Karawita	0·28	—	—	—	2·8	—

* Thorianite and monazite.

In the above table an estimate is given of the percentages of each of the valuable minerals present in the samples of concentrates ("nambus") received. From these data however, no value can be assigned to the crude gravel, owing to the unfortunate absence of information as to the quantity of concentrate obtained from a given weight of gravel. This may be illustrated by reference to samples CnC. 155 and CnC. 156, both prepared from the same gravel, where in the first the amount of thorianite is almost negligible and in the second amounts to about 25 per cent. It follows, therefore, that the present consideration cannot extend beyond the results indicating the existence of valuable minerals in these several localities, and the question of the precise commercial value of the original sand remains to be determined by the future work of the Survey in Ceylon. This should be undertaken without delay, the present results being taken as a guide. It will be necessary to make a rough estimate of the area of each deposit selected as important, the amount of gravel in sight, and to prepare for examination a sample of concentrate representative of each area, care being taken to determine as nearly as possible the yield of concentrate obtained from the alluvium.

The areas which have been prospected so far for gold, thorianite and other rare minerals may roughly be divided as follows :—

(*a*) The tributaries of the Kalu ganga, including the Niriella ganga (two specimens), the Weganga (two specimens), the Weralupe dola (one specimen), the Bambarabotuwa oya (one specimen), the Karawita oya (one specimen) and the Miniran deniya (one specimen).

In the concentrates derived from the gravels of these streams the percentages of valuable constituents in the "concentrates" vary as follows :—

Gold ...	...	0·50 to 8 oz. per ton.
Thorianite	...	0·5 to 19 per cent.
Monazite	....	1 to 11 „
Cassiterite	...	1 to 15·5 „

Although many of the concentrates are poor, yet in no instance have the specimens forwarded been entirely free from thorium minerals, monazite being the one most widely distributed.

(*b*.) Running from a northerly portion of the same watershed as the Kalu River in a westerly direction is the Kelani ganga. The following tributaries of this river have been examined :—the Sitawaka ganga, the Getaheta oya, the Gongala oya, the Lawpitiya oya ; from each of which specimens of concentrates have been received. The percentages of valuable minerals present in these concentrates vary as follows :—

Thorianite ...	...	...	0 to 24 per cent.
Monazite ...	...	...	0 to 3 per cent.

Of these the only one likely to be of economic value is that from the Getaheta oya, which contains 20 per cent. of thorianite.

(*c.*) One concentrate was obtained from the Walaweganga (at Morahela). This is an important river running due south, and the one concentrate received contained 9 per cent. of gold and 43 per cent of thorianite. This sample was probably obtained by extreme concentration. It is important that further information should now be obtained as to the richness of the gravel at various points of the river bed, carefully prepared quantitative concentrates being submitted for analysis.

(*d.*) The Moon Plains, N. Eliya. A concentrate from this district shows 11 per cent. of monazite. The result of this preliminary work appears to warrant further exploration in this region.

(*e.*) Two samples from Narunkandure Dola, Sab., contained 15 and 7 per cent. of thorianite respectively, indicating that this district also should be further investigated.

Of the other minerals dealt with in this report little need be said here, as they are either of little economic importance or further samples will be required for investigation.

The lead ore (galena) apparently occurs in small quantities as worn cleavage fragments in the stream gravels, and contains very little silver.

The samples of calcite and clay were not large enough to test for cement making, and further samples should be forwarded.

Consignment No. 15.

These samples are described in Progress Report No. 15, dated the 27th April, 1906. Most of the samples have not yet been completely examined, and the following observations are of a preliminary character only.

CnC. 221 (*C.M.S.* 1), "Sand from Mahaveli ganga, Gurudeniya, near Kandy."

CnC. 222 (*C.M.S.* 2), "Sand from Kelani ganga, Kitulgala."

CnC. 223 (*C.M.S.* 3), "Sand, Giranketa oya, Kitulgala."

These are black magnetic sands and are similar to one another in character. They consist mainly of ilmenite and magnetite, and contain small quantities of garnet, zircon, monazite, rutile, spinel, and quartz, and occasionally hypersthene. The amount of thoria in CnC. 223 is being determined.

CnC. 224 to 229 (*C.M.S.* 4*a* to 4*f*), "Nambus from various rivers and streams near Kitulgala."

These are similar to each other, and consist chiefly of magnetite, limonite, garnet, corundum, and quartz, with small quantities of zircon, hornblende, and fergusonite. CnC. 225, which is typical of the others, is being chemically examined.

CnC. 230 to 237 (*C.M.S.* 5*a* to 5*h*), "Nambus from Deraniyagala and neighbourhood. No. 5*f* contains one crystal of thorianite."

These are chiefly garnet "nambus," containing in addition grains of magnetite, ilmenite, spinel, and quartz, with traces of tourmaline and corundum. One crystal of thorianite was observed in 5*b* and one also in 5*f*. Specimen 5*d* contains a considerable amount of magnetite, while 5*h* consists mainly of magnetite, and has very little garnet. CnC. 230 (5*a*), which is typical of this group, is being chemically examined.

CnC. 238 (*C.M.S.* 6), "Sand, Sitawaka ganga, Deraniyagala (contains some microscopic thorianite besides monazite, &c.)."

This is a black sand consisting chiefly of magnetite and ilmenite with small amounts of zircon, monazite, garnet and rutile, with possibly traces of thorianite. A chemical examination of this sample is being made.

CnC. 239 (*C.M.S.* 7), "Sand, Panakuru oya, Anhitigama, Deraniyagala."

This is similar to CnC. 238 in mineral composition.

CnC. 240 (*C.M.S.* 8*a*); *CnC.* 241 (*C.M.S.* 8*b*); *CnC.* 242 (*C.M.S.* 8*c*); *CnC.* 243 (*C.M.S.* 8*d*); *CnC.* 245 (*C.M.S.* 8*f*) and *CnC.* 250 (*C.M.S.* 8*k*), from various localities in Maskeliya.

These are garnet "nambus" of similar composition, the accessory minerals being ilmenite, magnetite, limonite, spinel, zircon, and quartz, which are present in varying quantities. CnC. 240, which is typical of the others is being chemically examined.

CnC. 244 (*C.M.S.* 8*e*), consists chiefly of grains of limonite, with some garnet and quartz.

CnC. 246 (*C.M.S.* 8*g*). This is a tourmaline "nambu" containing also spinel, zircon, and a little rutile.

CnC. 247 to 249 (*C.M.S.* 8*h* to 8*j*). These contain principally magnetite and ilmenite, with some garnet, zircon, and quartz, with in one case (8*j*) some coarse brown crystals of corundum.

Probably none of these samples (CnC. 240 to CnC. 250 inclusive) represent material of economic value.

CnC. 251 (*C.M.S.* 9), "Sand, Bargrove Estate, Maskeliya."

This is a black sand, mainly ilmenite, and contains small quantities of zircon, rutile, monazite, and spinel.

CnC. 252 (*C.M.S.* 10), "Sand, Kelani ganga, Laxapana, Maskeliya."

This is a black sand somewhat similar to CnC. 251, but containing in addition magnetite and garnet. The amount of thoria in the material is being determined.

CnC. 253 (*C.M.S.*, *A.*), "Black sand from "malawa," Gonagala deniya, Monrovia Estate, Dodanduwa . . . . ? Traces of thorianite."

This consists largely of ilmenite with some quartz, garnet, zircon, monazite, and spinel. No thorianite was found in the portion examined. The amount of thoria in this sample is being determined.

CnC. 254 (*C.M.S., B.*), "Black sand from "malawa," Hunuge deniya, Ratgama, S. Pr. ? Thorianite and monazite."

CnC. 255 (*C.M.S., B2*), "Another pit, same locality ? monazite."

These are somewhat similar to CnC. 253. There is possibly a little thorianite present.

CnC. 256 (*C.M.S., C.*), "Zircon, Galkanda deniya, Monrovia Estate, Dodanduwa."

This consists of grey zircons of no economic value (see CnC. 164).

CnC. 257 (*C.M.S., D.*), "Black sand from "malawa," Uruduwa. Ratgama, S. Pr. ? Monazite and thorianite."

Mostly ilmenite with a little zircon and rutile and traces of monazite and quartz.

CnC. 258 (*C.M.S., E.*), "Black sand from "malawa," Galkanda deniya, Monrovia Estate, Dodanduwa."

Mostly ilmenite, with some zircon and quartz and a little monazite and thorianite.

CnC. 259 (*C.M.S., F.*), "Black sand from "malawa," Kotadeniya, Monrovia Estate, Dodanduwa."

This consists chiefly of ilmenite with some zircon, quartz, and a little monazite and thorianite. The amount of thoria present is being determined.

CnC. 260 (*C.M.S., G.*), "Black sand from "malawa," Puwak gaha deniya, Hemmeliya, S. Pr."

This sample contains mainly garnet and ilmenite, with a little monazite, zircon, and quartz.

CnC. 261 (*C.M.S., H.*), "Black sand from "malawa," Nr. Indigasketiya, Kimbiya, S. Pr."

This consists of ilmenite with zircon, quartz, rutile, and traces of monazite. The material is of no commercial value.

CnC. 262 to 265 (*C.M.S., I.*), "Black sands, Hiniduma, chiefly from the Patambe Ela in which gold occurs."

These are ilmenite-garnet sands, with zircon, rutile, quartz, and monazite. A little gold was observed in the one labelled "Dola by R. H. Hiniduma." CnC. 262 which is typical of the rest is being analysed.

CnC. 266 to 273 (*C.M.S., J.*), ""Malawa" sands, Neluwa district, Hinidum Pattu, S. Pr."

These are seven samples of ilmenite sand with garnet, similar to samples CnC. 262 to 265. The amount of monazite in them is small, and thorianite is either absent or present only in traces.

A trace of gold was observed in the one labelled "Pitangana deniya, Batuwangala, S. Pr." CnC. 268, which is typical of the group, is being analysed.

CnC. 274 (*C.M.S., K.*), "Thorianite, washed from the decomposed pegmatite vein at Maddegama, Hinidum Pattu. 1 lb. bought for 3 rupees (4 shillings sterling)."

A fairly pure sample of thorianite, containing small flakes of mica, and occasionally zircon. The amounts of thoria and uranoso-uranic oxide in this sample are being determined.

CnC. 275 (*C.M.S., L.*), "Various small specimens of thorianite from Maddegama."

This consists of thorianite crystals, some of which are twinned. As a large number of analyses of thorianite have been made, it is unnecessary to analyse this sample.

CnC. 276 (*C.M.S., M.*), "Zircon from paddy field at Balagal owita, Maddegama, S. Pr., below the thorianite locality."

This sample consists of two fragments of zircon crystals. One shows a well-marked zoning, but neither seems to be in any way abnormal.

CnC. 277 (*C.M.S., N.*), "Ilmenite-zircon nambu, Batuwangala Hinidum Pattuwa, S. Pr."

This consists mainly of ilmenite, with some zircon, and a little garnet.

CnC. 278 (*C.M.S., O.*), "Zircon from various pits in Batuwangala, Neluwa, and Maddegama, S. Pr."

This sample consists almost entirely of zircon, with a few grains of other minerals such as spinel and pyrite.

CnC. 279 (*C.M.S., P.*), "Zircon nambu, Gora Kagaha deniya, Maddegama, S. Pr."

This is a mixture of zircon, ilmenite, garnet, and quartz. Much of the zircon present is coarser than the rest of the material.

CnC. 280 to 282 (*C.M.S., Q.*), "'Malawa' sands, Neluwa district, S. Pr."

These are black, ilmenite sands, containing a little garnet and traces of zircon, rutile, quartz, monazite, and gold. A little thorianite may possibly be present.

CnC. 283 to 285 (*C.M.S., R.*), "'Malawa' sands, Neluwa district, S. Pr."

These three samples are somewhat similar to CnC. 280 to 282. Several crystals of thorianite were observed in the sample labelled "Mouth of Nawadi ela, Maddegama, S. Pr.". CnC. 285, which is typical of the group, is being analysed.

CnC. 286 (*C.M.S., S.*), "'Malawa' sand, Gin Ganga, Neluwa, S. Pr."

A black sand, consisting largely of ilmenite, with garnet zircon, monazite, rutile, quartz, and possibly a little thorianite.

CnC. 287 (*C.M.S., T.*), "Decomposed pegmatite, containing thorianite, Maddegama, S. Pr."

This sample consists of limonitic and kaolinised decomposition products, with small flakes of phlogopite mica, and graphite. If thorianite be present it is only in very small quantity. An analysis of this specimen is being made,

CnC. 288 (*C.M.S., V.*), "Sample of the decomposed pegmatite bearing thorianite, Maddegama, S. Pr."

This sample is somewhat similar to CnC. 287, but is in a slightly less disintegrated condition.

CnC. 289 (*C.M.S., W.*), "Pegmatite (not *in situ*), thorianite locality, Maddegama, S. Pr."

This is a partially decomposed biotite pegmatite, containing a small quantity of graphite in well defined but small plates. It seems probable that this specimen, though not obtained "in situ" has been detached from the parent rock of specimens CnC. 287 and CnC. 288.

CnC. 290 (*C.M.S., X.*), "Country rock (decomposed leptynite) of the pegmatite vein at Maddegama."

A rock of fine grain, consisting of quartz and decomposed felspar. Traces of graphite in small flakes are present. The other dark coloured constituents appear to be of limonitic character.

CnC. 291 (*C.M.S., Y.*), "Asbestos, Mawadawila, S. Pr."

CnC. 292 (*C.M.S., Z.*), "Asbestos in cryst. limestone, Tiranagala, S. Pr."

These are somewhat impure specimens, and probably belong to the amphibole, rather than the chrysotile variety of asbestos.

CnC. 291 is in a crumbled condition, and contains mica. An analysis of this sample is being made to facilitate identification.

CnC. 292 is very impure, containing a large amount of calcite. It is unlikely that this asbestos has resulted from the alteration of forsterite in the way suggested by the Assistant Director of the Survey; it is more probably a direct product of metamorphism like forsterite itself.

Asbestos of the quality represented by these samples is of no value for commercial purposes, but if better material having longer and tougher fibres suitable for spinning can be obtained, a sample should be sent for commercial valuation.

Consignment No. 16.

The following notes are of a preliminary character and refer to the mineralogical nature of the samples. Those of economic value are being examined chemically, and further information regarding them will be supplied later.

The minerals dealt with in this consignment are described in Progress Report No. 16, dated 31st July, 1906.

CnC. 293 (*C.M.S.* 1), "Nambu, Pattipola Ela, old gravel on bank (15′)."

This is chiefly quartz; some tourmaline, a little garnet, spinel and zircon, and one fragment of chrysoberyl are also present.

CnC. 294 (*C.M.S.* 2), "Nambu, Pattipola Ela, newest gravel in bed."

This is mainly garnet, much of which has been altered to monite; some quartz, spinel, and rutile are also present.

CnC. 295 (*C.M.S.* 3), "Nambu, stream between Ambawela and Pattipola; one mile west of railway line."

The material is a mixture of quartz, zircon, chromite, and tourmaline. The chromite has a lustrous, granular aspect, and appears to be identical in character with CnC. 58 (see Report on the results of the Mineral Survey in Ceylon 1904–1905, [Cd. 3,190], p. 21) which was obtained from Bambarabotuwa.

CnC. 296 (*C.M.S.* 4), "Nambu, Mipilamane Ela, Dambagastalawa, Ambawela."

This is largely quartz and tourmaline, with small quantities of limonite, ilmenite, garnet, and hypersthene.

CnC. 297 (*C.M.S.* 5), "Nambu, branch of Pattipola Ela."

This is mainly altered garnet and rock fragments, with some quartz grains, and a little ilmenite, corundum, and chromite.

The sample is being analysed.

CnC. 298 (*C.M.S.* 6), "Nambu, Pelelle Bedde, Patana, between Ambawela and Pattipola."

This is principally garnet and quartz with a little ilmenite and zircon.

CnC. 299 (*C.M.S.* 7), "Sand from Pattipola Ela."

This is a black sand, consisting chiefly of ilmenite, with some garnet, zircon, sillimanite, rutile, pleonaste, hypersthene, and monazite. The amount of monazite present does not exceed 2 per cent. by weight of the concentrate.

CnC. 300 (*C.M.S.* 8), "From near Pattipola rest house."

CnC. 301 (*C.M.S.* 9), "From jungle below Totapola."

CnC. 302 (*C.M.S.* 10), "Near Ambawela Station (Pattipola side)."

CnC. 303 (*C.M.S.* 11), "Near Ambawela Station (Elk plain side)."

These four samples of sand are stated to have been obtained from decomposed rocks *in situ*. They consist chiefly of ilmenite, with varying proportions of zircon, quartz, rutile, and monazite. The approximate amounts of monazite present are as follows:—CnC. 300, 5 per cent.; CnC. 301, about 2 per cent.; CnC. 302, about 0·5 per cent.; and CnC. 303, about 1 per cent.

CnC. 304 (*C.M.S.* 12), "Nambu, Horton plains."

This is chiefly zircon and ilmenite, with some tourmaline, quartz, and rutile. No thorianite is present.

CnC. 305 (*C.M.S.* 13), "Khondalite."

This is a specimen sent for exhibition only.

CnC. 306 (*C.M.S.* 14), "Thorite, Kahatagolla oya, Haliyalla."

This consists of two small fragments, weighing together 0·18 gram. They have the mineralogical character of thorite.

CnC. 307 (*C.M.S.* 15), "Augen gneiss (with monazite), between Nugatenna and Madugoda."

This is of special interest as being the first specimen so far received from Ceylon, showing grains of monazite "in situ" in a rock. The latter is a fresh garnetiferous biotite-gneiss, and though the monazite is only present in small amount, the individual grains are fairly large.

CnC. 308 (*C.M.S.* 16), "Monazite from the same locality as CnC 307."

This is a small sample of grains of monazite. The total weight is less than 0·1 gram.

CnC. 309 (*C.M.S.* 17), "Concentrate, Karandaketiya oya, Rambukwella."

Over 75 per cent. of this concentrate consists of ilmenite, the remainder being chiefly magnetite and garnet. Rutile, zircon, and monazite are also present in small quantities. The amount of monazite is about 0·5 per cent.

CnC. 310 (*C.M.S.* 18), "Concentrate, Kahatagolla oya, Haliyalla."

This is similar to CnC. 309, and contains about 75 per cent. of ilmenite and 0·5 per cent. of monazite. There is a little less magnetite and more garnet present than in CnC. 309, and in addition some spinel.

CnC. 311 (*C.M.S.* 19), "Nambu, Kahatagolla oya, Haliyalla."

CnC. 312 (*C.M.S.* 20), "Nambu, Dehigolla oya, Hanwella."

CnC. 313 (*C.M.S.* 21), "Nambu, Mahaoya, Uduwela."

CnC. 314 (*C.M.S.* 22), "Nambu, Karandaketiya oya, Rambukwella."

These four "nambus" are similar to one another. They consist chiefly of garnet (much decomposed), and ilmenite, with small quantities of other unimportant minerals including quartz, zircon, rutile, spinel and magnetite.

CnC. 315 (*C.M.S.* 23), "Concentrate, Ma oya, Mimure."

The description quoted is from the progress report, but the sample itself is labelled as from Hinganga.

This sample is similar to specimens CnC. 309 and 310; it contains about 75 per cent. of ilmenite, and about 1·2 per cent. of monazite.

CnC. 316 (*C.M.S.* 24), "Concentrate, Hinganga, Mimure."

The description quoted is from the progress report, but the specimen itself is marked Ma oya. CnC. 315 and CnC. 316 appear, therefore, to have been interchanged.

It contains about 58 per cent. of a mixture of magnetite and ilmenite, with about 25 per cent. of garnet. The remainder consists of zircon, quartz, monazite, and rutile, the amount of monazite being about 3·5 per cent.

CnC. 317 (*C.M.S.* 25), "Nambu, Pengiriman oya, Mimure."

CnC. 318 (*C.M.S.* 26), "Nambu Hinganga, Mimure."

CnC. 319 (*C.M.S.* 27), "Nambu Ma oya, Mimure."

These three "nambus" consist chiefly of garnet. Other minerals present are ilmenite, pleonaste, hornblende, rutile, and quartz.

CnC. 320 (*C.M.S.* 28), "Sphene from basic dyke, river bed, Mimure."

In its general mineralogical characters this is a fairly typical specimen of sphene (titanite). An analysis is being made in order to ascertain if rare earths are present.

CnC. 321 (*C.M.S., A*), "Serpentine, Rupaha, Central Province."

This is pale green serpentine rock, which may possibly be of economic value for decorative purposes. Further inquiry will be made on this point.

CnC. 322 (*C.M.S., B.*), "Spinel-mica rock, associated with thorite and thorianite, Welimada, Uva."

This specimen agrees with the first part of the description given, but no thorite or thorianite could be found in it. Its association with thoria minerals is, however, a matter of considerable interest, and the analysis now being made may reveal the presence of rare earths.

CnC. 323 and 324 (*C.M.S., C.* and *D.*), "Mica, Dambawinne palata, Uva."

These two samples consist of brown mica, in plates which are much buckled and cracked. They were submitted for valuation to a mica expert, who stated that such material is of no economic value.

CnC. 325 (*C.M.S., E.*), "Nambu, Hatdowala, Welimada, Uva."

CnC. 326 (*C.M.S., F.*), "Nambu, Landewela, Uva."

CnC. 327 (*C.M.S., G.*), "Nambu, Jangula, Bogoda, Uva."

These three "nambus" are of similar composition and consist of a mixture of the following minerals:—garnet, quartz, spinel, and corundum. A little monazite was observed in CnC. 325 and CnC. 326. The former is being analysed.

CnC. 328 (*C.M.S., H.*), "Black sand (concentrate), Ragala, Central Province."

This is chiefly ilmenite, with some garnet, zircon, rutile, quartz, pleonaste, and monazite. The amount of monazite is less than 2 per cent. An analysis of this sample is being made.

CnC. 329 (*C.M.S., J.*), "Black sand (concentrate), Jangula Bogoda, Uva."

This is chiefly ilmenite and garnet, with some zircon and rutile, a little quartz and biotite mica, and about 4·5 per cent. of monazite.

CnC. 330 (*C.M.S., K.*), "Black sand (concentrate), Landewela, Uva."

This is chiefly ilmenite, garnet, and zircon, with rutile, quartz, and spinel, and from 5 to 6 per cent. of monazite. An analysis of this sample is being made.

CnC. 331 (*C.M.S., L.*), "Black sand (concentrate), three samples from three pits at Hatdowala, Welimada, Uva."

These three samples consist of a mixture of ilmenite, garnet, amphibole, zircon, spinel, rutile, and monazite. The sample from Pit A contains from 1 to 2 per cent. of monazite, and a single grain of thorianite was observed in it. In that from Pit B there is approximately 12 per cent. of monazite in unusually large grains. The specimen from Pit C contains about 6 per cent. of monazite. Analyses of these samples are being made.

CnC. 332 (*C.M.S., M.*), "Thorianite, Hatdowala, Welimada, Uva."

This consists of four small fragments of thorianite, weighing in all 1·3 grams.

CnA. 1., Mica from Gilimale.

This sample of mica was forwarded for examination to the Imperial Institute by the Colonial Secretary for Ceylon with a letter, No. 015078 of the 6th September, 1906, in which it was stated that the mica had been obtained from the village of Gilimale in the province of Sabaragamuwa.

The sample was found to consist of plates of biotite mica which varied in diameter from about 4 to 7 inches and whilst some were quite thin others were nearly one inch in thickness. The mica was untrimmed, much buckled and cracked, and opaque except in very thin plates.

The mica was divided into two portions according to the size of the plates and was then submitted to an expert for valuation. He reported that the mica was very much buckled and striated, and that both samples would be practically unmarketable on account of these defects. The appearance of the samples suggested that they had been obtained from very near the surface. In this connection the expert stated that in his experience where the surface mica exhibits buckling and striation the material obtained at a greater depth also suffers from these defects.

It will be seen that the opinion expressed on this mica is not promising, but it would be worth while to examine the deposit further in order to ascertain whether the mica is of better quality at greater depths.

REPORT ON CEYLON MINERALS RECEIVED FROM COMMERCIAL FIRMS.

No. XII. of Series, Ceylon Mineral Survey.

In addition to the mineral specimens forwarded to the Imperial Institute by the officers of the Mineral Survey, a number of other mineral samples have been received, chiefly from commercial firms in Ceylon, for identification and valuation, and as these are of interest in connection with the work of the Survey they may be referred to here. The samples now dealt with were received during 1906–7, and in no case was the locality in which they were found given. Information regarding the samples received previously from commercial firms in Ceylon is given in Report No. IX of this series [Cd. 3,190], p. 39.

CnZ. 206. This sample was labelled "Thorianite." It consisted chiefly of zircon and tourmaline, and contained no thorianite.

CnZ. 207–9. These contained ilmenite, garnet, zircon, spinel, and quartz, with some thorianite. By treatment with the electro-magnet, No. 207 was found to contain 20 per cent. of thorianite, No. 208, 0·05 per cent., and No. 209, 3·5 per cent. of this mineral. It is of interest to mention that by electro-magnetic means the crude gravels represented by these samples can be readily concentrated so as to contain 49·0, 0·5, and 24·0 per cent. of thorianite respectively. The first and third of these concentrated materials would be of considerable commercial value.

CnZ. 210. This consisted of a mixture of graphite and iron pyrites.

CnZ. 211. This was a specimen of wood opal.

CnZ. 212. The sample was labelled thorite, and it is being analysed in order to ascertain whether this designation is correct.

CnZ. 213. This was labelled "mineral dust." It consisted of ilmenite (71 per cent.), zircon, &c. (23 per cent.), monazite (5.5 per cent.). The last constituent in the only one of commercial value. The amount present is too small to render the crude material of value, but if the "dust" is obtainable in quantity it would be worth concentrating for the sake of the monazite it contains.

CnZ. 214. This consisted of molybdenite, and is practically identical in quality with specimen CnC 186 (see page 21).

CnZ. 215. This was a sample of pale green apatite, which is of commercial value when obtainable in large quantity.

CnZ. 216. This consisted mainly of a mixture of hornblende and garnet, and contained nothing of economic value.

WYNDHAM R. DUNSTAN.

24th June, 1907.

COLONIAL REPORTS.

The following recent reports relating to His Majesty's Colonial Possessions have been issued, and may be obtained from the sources indicated on the title-page :—

ANNUAL.

No.	Colony, &c.	Year.
506	Mauritius	1905
507	Southern Nigeria (Lagos)	"
508	Somaliland	1905–1906
509	Fiji	1905
510	St. Vincent	1905–1906
511	Sierra Leone	1905
512	Southern Nigeria	"
513	Basutoland	1905–1906
514	British Guiana	"
515	British Honduras	1905
516	Northern Nigeria	1905–1906
517	Bechuanaland Protectorate...	"
518	Leeward Islands	"
519	East Africa Protectorate	"
520	Seychelles	1906
521	Hong Kong	"
522	Falkland Islands	"
523	Ashanti	"
524	Jamaica	1905–1906
525	Uganda	"
526	St. Helena	1906
527	Ceylon...	"
528	Bermuda	"
529	Gibraltar	"
530	Northern Territories of the Gold Coast	"
531	Sierra Leone	"
532	Colonial Survey Committee	1906–1907
533	Weihaiwei	1906
534	Gold Coast	"
535	Malta	"
536	Gambia	"

MISCELLANEOUS.

No.	Colony.	Subject.
33	Southern Nigeria	Mineral Survey.
34	Montserrat	Agricultural Industry.
35	Antigua and St. Kitts-Nevis ...	Sugar.
36	West Indies	Work of Imperial Department of Agriculture.
37	Ceylon	Mineral Survey, 1904–5.
38	St. Helena	Agriculture (1884).
39	Jamaica	Cayman Islands.
40	Northern Nigeria	Taxation of Natives.
41	East Africa Protectorate ...	Forests of Kenia.

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COLONIAL REPORTS—MISCELLANEOUS.

No. 52.

REPORT ON NATIVE EDUCATION IN SOUTH AFRICA;

PART III.—EDUCATION IN THE PROTECTORATES;

BY

E. B. SARGANT, Education Adviser to the High Commissioner for South Africa.

Presented to Parliament by Command of His Majesty.
June, 1908.

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No. 52.

REPORT ON NATIVE EDUCATION IN SOUTH AFRICA;

Part III.—Education in the Protectorates;

By E. B. Sargant,
Education Adviser to the High Commissioner for South Africa.

Headley, Surrey,
March, 1908.

My Lord,

In accordance with your Lordship's direction, I have now the honour to submit the Third Part of my Report on Native Education. Parts I. and II. were submitted in the year 1904 to your Lordship's predecessor in the Office of High Commissioner. In the meantime separate Reports* upon the state of Education in Basutoland and in the Bechuanaland Protectorate have been addressed by me to the Resident Commissioners of these Territories respectively.

I have the honour to be, my Lord,

Your Lordship's obedient Servant,

E. B. Sargant.

His Excellency
The Earl of Selborne, G.C.M.G.,
High Commissioner for South Africa,
Johannesburg.

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* Not printed.

REPORT TO THE HIGH COMMISSIONER ON NATIVE EDUCATION IN SOUTH AFRICA.

PART III.—THE PROTECTORATES.

Section I.—Preliminary.

General Scheme of Part III.—In this third part of my report I propose to treat generally of education in such of the South African native territories, directly under Imperial control, as I have myself visited officially; and to endeavour to bring into view certain principles which may permanently assist the action of those who from time to time are made responsible for the development and administration of the school systems within all the protected areas.

My separate reports already presented to the Resident Commissioners of Basutoland and the Bechuanaland Protectorate deal more particularly with the present state of education in each of those territories and with such reforms as appear to be not only desirable, but in most cases immediately practicable. Scattered among the appendices, especially those which relate to actual visits of inspection, will be found a number of observations covering a wider field; as, for instance, notes upon any special features in the organisation of the various Christian missions which have had a far-reaching influence upon the character of their educational work; notes also as to the hold which schools of particular types have secured upon the native mind, and as to the immense value of the sympathy shown by Government officials generally in regard to the gradual uplifting of the mass of the people through education. Many of these observations could not properly have been included in the body of reports dealing with the territories in question, but they remain available for the purpose of drawing inferences applicable to the South African Protectorates as a whole.

Limitations.—It should be observed, however, that the circumstances of no two native territories under the Crown are exactly the same. Indeed, the inferences here made on which most reliance may be placed are precisely those due to a comparison of differences in the educational and social state of Basutoland and the Bechuanaland Protectorate. In Swaziland, in Southern Rhodesia, and in Barotziland there are likewise special conditions which must be carefully considered before the principles here stated broadly to be of general application can safely be put into practice in those countries.

Still more hazardous would it be to apply conclusions arrived at in regard to any of the native territories to the problems of native education in the self-governing Colonies of South

Africa. These problems are of a complexity possibly greater than characterises any other school problems within our Empire. They are problems of a double nature, for while the presence of a large white population side by side with the masses of natives must tend largely to modify the type of education which should be given to the latter, the school training suitable to Europeans is itself profoundly affected by the proximity of a less civilised race. The proposed inter-Colonial Native College, by bringing together upon the tutorial staff men of education and experience belonging to all the inhabitants of South Africa, should do much to promote a solution of such problems. But to federation of the South African Colonies, and to the establishment of some agency for educational inquiries as part of the central administration, we should also look for the means of investigating the whole of this difficult question.

Arrangement of Sections.—Having pointed out certain definite limits within which the conclusions to be found in this part of my report must in any case be confined, I may now indicate its arrangement in sections. These fall into three groups. First in order is placed the consideration of the various subjects of instruction in the school-course. In the last section of this group will be found a discussion of the assumption so often made without warrant that the subjects and order of the curriculum for native children should differ as little as possible from those for Europeans. The right means of development of the school-system has been placed second; that is to say, the manner in which the forces of the State and of the various Christian churches may be so co-ordinated as to make the best of all the resources in men and material which are at their command for educational purposes. In this group of sections an attempt has been made to throw some light upon the conditions under which popular support is forthcoming for the schools, and upon those other conditions which on the contrary have led to a movement of secession among natives infected with Ethiopian or other allied separatist ideas. In the last place, though not as of least importance, are discussed the various limitations to native education; not so much the bounds set by considerations of finance, though these themselves are of the utmost importance, as the natural limits beyond which the tribe and the individual do not appear to be able at present to advance, except in the rarest instances. For shortness these three main heads may be referred to as follows:—

A. Subjects of instruction (Sections II., III., IV., V., and VI.).

B. Organisation of schools (Sections VII. and VIII.).

C. Educational limits (Sections IX and X.).

Section II.—The Native Language.

Oral Teaching.—Among the subjects of instruction, the native language may properly be considered first. The manner in which it has been treated is generally disappointing. Not infrequently the subject has been altogether neglected; hardly ever is the teaching placed on any rational basis or considered of the same educational value as other branches of study. In no school which I visited was there brought to my notice any sustained attempt, by way of conversation, to enlarge the child's vocabulary and variety of phrase, or to cultivate accuracy of expression as a foundation for all subsequent language teaching. Yet the more experienced of the European missionaries in Basutoland speak regretfully of a former range and idiomatic usage of the mother-tongue which is passing away with the older generation. Nor can there be any doubt that, were the art of using Sesuto with propriety and force made part of the ordinary curriculum, the chiefs and their councillors would value education still more highly than they do at present. For the proceedings in the village assembly, whether of a judicial or general character, still play a large part in the national life and are open without distinction to every Mosuto as soon as he obtains full tribal standing. Thus in a state of society so little specialised rhetoric has a peculiar value which should be recognised in the schools. This is all the more necessary since the extent to which the younger members of the tribe now leave their territory for considerable periods of each year diminishes their opportunities for hearing and practising the oratory of the *Khotla*. Satisfactorily to give such oral teaching, the present school staff would require some special training and periodical visits of encouragment from both magistrates and chiefs; moreover, the success of their work could only be estimated satisfactorily with the aid of a native inspectorate.

Reading and Composition.—It should, however, be noticed that the first impulse of recently Christianised natives who send their children to school is the exact reverse of a desire for the more perfect command of their own language, whether spoken or written. The less the native idiom is taught, and the more rapidly English is introduced, the better they are pleased. While the lowest class in these schools is usually in possession of some cheap native spelling book in which first the letters of the alphabet, then syllables, and finally simple words and sentences are studied, the classes above this often abandon altogether the native language in its written form. Teachers not infrequently assured me that they had much difficulty in persuading parents to buy the usual threepenny *Sepeleta* for their children, and that it was a hopeless task to attempt the sale of the rest of the series of reading books which are supplied by the various missionary societies.

In one school in the Bechuanaland Protectorate which, in consequence of a church movement of secession, had passed completely out of the control of the missionaries into the hands of the native chief and his councillors, the children were not taught even so much Sechuana as was to be found in the spelling book. With scant success they were set to learn English at once. Wherever education has only lately been introduced, it is not improbable that like results as regards the abandonment of the vernacular would follow upon the handing over of the schools to the management of the people themselves.

At the old-established centres of instruction there was noticeably a different feeling among the population. In one of the most independently minded native communities in Basutoland—an isolated village of which the headman had been promoted to be the native evangelist, while the office of head teacher had descended from him to his son—the instruction in Sesuto was far more thorough than in neighbouring villages where schools had been more recently established. Moreover, the subject was highly appreciated both by parents and children. Again, in most cases in which a missionary had resided long among the native people at a distance from European influences, there was to be found the same inclination to increase the time devoted to the study of the native language. And my own visits of inspection convinced me that the schools in which reading and writing in the vernacular were most encouraged proved with scarcely an exception to be those in which the soundest knowledge of other subjects was afterwards acquired. Through experience it seems therefore that natives themselves are learning the value of instruction in their own language as a foundation for other subjects of study, and that this view is shared by many educated Europeans who have been brought sufficiently closely into contact with the school-work. Should the Governments of the various South African territories manifest their approval of this order of acquisition of languages in their respective school codes, such action is likely to meet with a widespread and growing assent on the part of the native population.

Need of more works translated into the vernacular.—As a further step towards the encouragement of the mother-tongue, it would be well to add judiciously to the number of printed books available in the language of the territory. Such works as have been published by the missionaries in Sesuto and Sechuana are predominantly of a religious character. Naturally the translation of parts of the Bible was undertaken from the first, and completed by degrees, as time and funds allowed. For the various church services appropriate hymn-books and prayer-books came into almost immediate use. A small number of tracts, of which the titles indicate a very simple non-polemical theology, made their appearance about the same

time. Later on, as missionary societies increased in number, and the need arose for explaining the existence of so many wholly separate Christian agencies, the translated theological works became of a more dogmatic nature. The first and only English book of great literary distinction which to my knowledge has been rendered into a native South African language is the *Pilgrim's Progress* done into Sesuto by the Paris Mission in 1872; the first newspaper, the *Leselinyana* or *Little Light*, which has now been published twice a month by the same society for upwards of forty years, and which reveals its tendencies in its name. The few elementary reading books for school use consist chiefly of Biblical stories.

As the Bechuanaland Protectorate is in these respects even worse off than Basutoland, it is clear that the range of printed matter available in the vernacular ought to be increased in both territories. In addition to translations of suitable works of real literary merit, the Governments should cause to be published books bearing directly upon the material prosperity of the native population, as well as upon such truths of geography, astronomy, physical science and hygiene, as natives can to some extent verify for themselves. In these directions the attempts which have been made up to the present are of the slightest and are practically confined to Basutoland.

The chief reason which should influence the authorities in adding to the available literature in the vernacular is also the reason which prompted the missionaries to translate the Bible into the native tongue. Truths so novel to the Bantu races as those conveyed in the teachings of the Christian religion were almost impossible of comprehension through a foreign medium. Difficulties of the same kind occur in all works relating to the general progress of civilisation under Christian influences and even to accounts of the daily life of European races written in their own languages. If even the simplest explanations of our social condition or history are to have any right and permanent influence upon native ways of thought, they must at first be conveyed, not in English, but through the popular means of communication, and preferably with the aid of some exceptionally gifted native who has had an opportunity of studying our more settled forms of civilisation for himself.

And works written by natives in the vernacular.—It is one of the fundamental difficulties in the education of these tribes that the South African native languages have so lately been established on a written basis, and then only by foreigners. There has not been time to establish any tradition or school of native authorship. Among the names of works published in Sesuto which have been supplied to me by the various Missions for publication in my Basutoland report (p. 216), there is only one book written by a native; in itself a most interesting account of the customs and proverbs of the Basuto issued by

the Morija Press in 1893. A French translation has been published by the same Press, and there exists a manuscript translation into English. If there is any indigenous literature among the other South African tribes, it is not known to me.

Thus it is clear that the acquisition by the Bantu races of the power to read their own language does not, on the one hand, as yet open the door to translations of the works of even the greatest European authors, nor, upon the other, supply the means to appreciate the thoughts and principles of action of those who have been most prominent among their own countrymen. There are, indeed, several newspapers written chiefly in the vernacular by natives, but it is precisely in these ephemeral productions that the want of the perspective afforded by any genuine national literature is most fully revealed. The editors are forced to go to foreign sources for their ideas, often without direct experience of the working of the various institutions about which they read, and with scarcely any means but oral communication for ascertaining the views of their fellow natives upon the possible effect of the introduction of such institutions into their own country. The resulting evil is manifest. For the great books of modern European races contain counsels for social and political conditions perilously alien from those in which the native races of South Africa find themselves placed at the present time. To a people which by temperament has the most need of checks upon precipitate action is denied the sobering influence of a literature extending far into their past.

The various governments would, therefore, be well advised to give pecuniary assistance to the translation of suitable books into the native languages and at the same time to encourage by every means in their power the faculty of literary expression by natives in their own tongue. In some districts many of the younger men and women are now able to write to one another in the vernacular, and do so write habitually. From this point the step to the beginning of a native literature is not inordinately long.

As among all the means at our disposal for giving to the South African tribes that kind of intelligent self-respect which must precede every great effort for civilisation, none can be found more efficacious than a genuine interest in native literature, I wish again to dwell upon the recommendation (p. 50) in my report to the Resident Commissioner of Basutoland, that small village schools should be spread throughout the territory, in addition to such other schools as have already been established. In these the reading and writing of Sesuto should form almost the only language study, English, if taught at all, being taught purely as a spoken language. The demand for native literature which would thus arise would almost certainly stimulate native authorship.

Since writing the above paragraphs I have received information that a native in the employment of the missionaries at Morija has written a tale of old Basutoland which is said to be full of literary grace. It is called *Moete oa Bochabela* or *The Traveller to the East.* There appears to be a strong mystic tendency in the book, and, according to my informant, the descriptions of mountain scenery and of the herd-boy's life are very well done. But as the work is not only to be printed in the original Sesuto, but probably also to be translated into English, there will be full opportunity before long for an independent appreciation of the author's powers.

Section III.—The English Language.

General Conditions.—In search of work South African tribal natives travel far afield and hear more than one European language. As a percentage of the population, the number of those who pass a considerable part of the year outside their own territories, and in the midst of English and Dutch-speaking communities, is out of comparison greater than the number of English men and women who travel in foreign lands. A slight knowledge of English as a spoken language is, therefore, widely spread among the Basuto and Bechuana tribes, especially among the adult male part of the population. And, though in their home life there is very little displacement of the mother-tongue, some of this knowledge is often imparted to the children of both sexes, and is available for school purposes. On the other hand, the formal teaching of English in schools suffers from more than one cause. The missionaries in whose hands rests the chief part of the control of education are of other than British extraction, while the tests on which they rely to ascertain the progress of scholars are often of an unsatisfactory and antiquated description. Considerable confusion in the childish mind is also caused by teaching English and the mother-tongue almost in the same stages at the same time.

Reading and Recitation.—In one school which I visited the simultaneous method of acquiring the two languages began with the alphabet, so that the unfortunate scholars were made to pronounce *a, e, i, o, u,* first in the English way, and then immediately afterwards with their Continental sounds, which are the values assigned to them in Sesuto.

In many schools there was a tendency to make the class-reading of English books chiefly a matter of the pronunciation of the words, the meaning of the passage being almost entirely neglected. To be sure that this apparent ignorance of the sense is real ignorance needs very careful and unhasty methods of inspection, especially when most of the communication with the scholars has to pass through an interpreter (*Basutoland Report*, p. 156, and elsewhere).

Some immediate reform in the books provided for reading and recitation is urgently needed. Condemnation of those in use must in justice be limited by the difficulty of finding others more appropriate. A few might be named; others will have to be written. The fault of nearly all the books I have seen is that modern conditions of life, often merely city or suburban life, pervade one story after another. What, for instance, could be more inappropriate for recitation by primitive Basuto scholars in Standard I. than the following passage from an author rightly dear to English children?—

> We built a ship upon the stairs
> All made of the back-bedroom chairs,
> And filled it full of sofa-pillows
> To go a-sailing on the billows.

Here is nothing within their experience—neither ships, billows, stairs, sofas, nor back-bedrooms.

And so with Campbell's great poem "The Battle of the Baltic," which had been committed to memory by a class of native girls in Standard VI.; it was not until the tenth and eleventh lines had been reached—

> Like leviathans afloat
> Lay their bulwarks on the brine—

that matter was forthcoming on which a sufficiently elementary question could safely be founded. Even so, though I found the leviathan to be familiar to some of the class as a creature mentioned in the Scriptures, no one of them would undertake to say what was likened to the leviathan in these verses.

In order to discover what matter would appeal most to natives themselves, I placed before those teachers who attended the first vacation course of instruction at Maseru several books which in point of difficulty of language might well serve as reading books for their upper classes. Among these were Miss Sewell's *Black Beauty*, Kingsley's *Heroes*, *Alice's Adventures in Wonderland*, and Grimms' *Fairy Tales*. It might have been thought that the story of a horse would appeal powerfully to a race that treasures horses above almost every other possession, but the narrative failed to please. By a large majority the teachers expressed their preference for the folk-tales of the Brothers Grimm; Kingsley's *Heroes* also proved popular. These facts furnish some clue to the kind of English literature which would interest native school children. They should be taken into scenes which are familiar, or which their imaginations can conjure up without too great an effort. The story of the *Iliad* has been re-told in English in the simplest language, and within the compass of the ordinary school reading book. More than one writer has succeeded in adapting

Livy's tales of ancient Rome to the use of English children. Either of these books, which are merely selected by way of instance, should prove serviceable in the upper standards. Better still for the lower standards would be accounts of Bantu village life written by some native who had been brought up under these conditions, care being taken that the tales were afterwards put into thoroughly idiomatic English. No pecuniary assistance from Government should be needed for the production of such publications, though any enterprising publisher intending to put such a series of reading books upon the market would do well to seek the advice of such magistrates or missionaries as have an intimate knowledge of the South African native territories, and are able to recommend to him natives capable of furnishing the raw material for these stories.

Grammar and Composition.—Babu English is an ironic phrase bearing witness to the sometimes ludicrous efforts of oriental races, much higher in the scale of civilisation than the Bantus, to express themselves with ease and appropriateness in our highly specialised language. Such English is partly a product of the difficulties inherent in every written or spoken attempt to deal with ideas belonging to a superior order of civilisation. It fails to appreciate the niceties of expression which are not infrequently the result of complexity of social structure. But it is also to some extent the product of that imagined security against deep-seated ignorance which results from our ever increasing reliance upon examinations as the ultimate test of all advance in knowledge. Owing to the greater disparity of civilisations, the first cause has even a greater effect in South Africa than in India, while the illusory guarantees of examination boards render the second cause as operative in the one country as in the other. The written English of South African natives stands to be judged from unrevised native petitions and from the English columns in the average native newspaper. There is no remedy for this style of writing but in a growing knowledge of what European civilisation really means, and in the more frequent use of our language under skilled direction and apart from any thought of examinations. Until a wider and higher experience of life has been gained, English composition for natives should be an exercise in expressing their thoughts on subjects which are already familiar to them almost from their infancy. It this connection some of the results of the series of language lessons given at the first vacation course for Basuto teachers in 1906 are particularly striking. The lecturer was the head of the Normal School at Bloemfontein; the test set at the conclusion of these lessons was to write such an account of the cattle coming home at sunset as a Third Standard class might be expected to produce in collaboration with their teacher. Most of the papers sent in had something of the simplicity of diction and of the truthfulness to nature which it was the special aim

of the lecturer to cultivate; in a word there was very little Babu English. Here are three of the most favourable specimens:—

"It is sunset and the cattle are slowly and quietly wending their way to the kraal. The herd-boy walks in front of the cattle holding up his stick in his right hand. The calves in the smaller kraal are bleating for their mothers and a boy stands at the gate to prevent them from running to the cows."

"There are cattle coming home. They have grazed all day long. Now they are coming to give us milk, and the calves will suck happily. The herd-boy is in front of them. He is riding a calf and plays his *lesiba*. The cows call their calves and the calves cry for their mothers."

"It is late now, the sun is just setting. The cattle are now coming home. See, the milk cows are in front of all the other cattle. They walk very quickly and all the time mooing for their little ones. They love their calves as well as your mother loves you. Look at the shepherd boys by the side of their herds."

In none of the schools which I visited either in Basutoland or in the Bechuanaland Protectorate were such methods as these used to give the children familiarity with English, nor was written composition made the sequel to oral composition. Instead of such a rational method of procedure, grammar, in one of its least attractive forms, namely, the classification of the words in a sentence into nouns, verbs, adverbs, &c., served for an introduction of the native scholar to the use of English as an instrument for the expression of his thoughts. Any one who has seen, as I have seen, the smeared slates of Basuto boys engaged in shifting and reshifting a half-appreciated word from one column to the other will understand how uneducative a subject is English grammar taught in the usual way. The mechanical treatment of this subject is continued into the higher classes, attended by those preparing for the teachers' course, as is made clear in my notes upon the Normal School at Morija (p. 100, *Basutoland Report*). At the root of the evil lies the present system of school examinations. If these were reformed, so as to give increased liberty to the individual teacher, and if among those responsible for the training of the native school staff there were some one thoroughly skilled in language teaching, the increased interest and progress of scholars in our language would be very noticeable in a few years.

Translation.—It should, however, be remarked that in the foregoing paragraphs English composition has only been regarded as an instrument for the expression of quite familiar

ideas on subjects of daily life. It enables the educated native to explain to Europeans his own thoughts, but it does not provide the means for any adequate written or oral discussion of those larger problems of civilised existence which, as he begins to see more and more clearly, are problems destined gravely to affect the life of himself and his fellow-countrymen in the near future. For this higher use of the English language translation and retranslation are necessary preliminaries.

In one school in Basutoland of which I have already spoken (p. 8) as embodying the experience of two generations of natives themselves, the bold course had been taken of substituting exercises in translation for the usual lessons in English grammar and composition; not only translation, that is, of sentences and short stories from English into Sesuto, but the far more difficult task of rendering corresponding Sesuto passages into English. These exercises were, as they should always be in the beginning, largely oral. The work was excellent. In nearly all those schools in Basutoland (so far as my visits of inspection extended) which could be singled out on account of the readiness with which scholars translated words, phrases, and often whole sentences from English into Sesuto, it was also noticeable that the teaching of the mother-tongue was unusually thorough in the lower classes. It proved to be so here. The whole scheme of language teaching was well ordered, resting on the secure basis of a good knowledge of the native language, and reaching a higher point than in any other school I visited; largely, as I believe, owing to this plan of translation from Sesuto into English as well as from English into Sesuto.

It seems, then, that natives are beginning to find out for themselves that it is not possible to get a sufficient hold upon our language through such mere construing as forms by far the greater part of all exercises in our own classical schools. They are advancing to the stage of Latin and Greek prose with the advantage that they do not make their first start, as so often happens in the case of our own boys, with merely written work.

Though the reasons that led the teachers in this school to lay such stress on both translation and retranslation as a part of their English work are probably in essence the same as the reasons which have caused form-masters in our home schools to adopt a similar course in regard to the classical languages, yet it seems to me that they are of different force in one case and in the other, and that we may gain a clearer idea of the difficulties which beset the native in his pursuit of the English idiom by comparing the two.

Native difficulties in mastery of English compared with our difficulties in mastery of classical languages.—Apart from mere vocabulary, the two main obstacles to the full appreciation of any foreign literature are, first, the different structure of the language, and secondly, the alien ideas which are the out-

come of a different civilisation. In Latin and Greek the structural difficulties are those which most occupy the thoughts of master and pupil. When once these difficulties are overcome, translation and retranslation become less necessary. For though the ideas of the Greeks and Romans are not our ideas, yet the largest part of our civilisation is founded upon theirs; and if we wish truly to interpret their thoughts, as conveyed in the books which remain to us, we do so, to some extent at all events, by endeavouring consciously to shut off that portion of our experience which we suppose not to have been shared by them. Accordingly the scholar who has advanced thus far feels when he reads in the original text, or expresses his thoughts in the language itself, that he is able more or less successfully to immerse himself in the thought and life of an ancient race. It is true that, since the language is a dead language, he has no means of verifying that impression, except in so far as he finds himself anticipating the point of view of some author whom he is reading for the first time, or arriving at conclusions not out of accord with other scholars engaged in like work. But though he may miss certain niceties of expression and thought, it is probable that he is able to transport himself not wholly unsuccessfully into the main currents of the thoughts and experiences of the writer and of his contemporaries, without any further extended use of translation or other artificial linguistic aid to his studies. That is the period of real delight for the Latin or Greek scholar.

It is otherwise with the advanced native student of English. Familiar in his mother-tongue with a language of considerable structural difficulty, he finds such grammar as is ultimately necessary for his progress in English a matter of small account. If properly taught, he should in a few years be able to understand any paragraph in our language relating to things with which he is already familiar. In regard to such matters he should also have no difficulty in expressing his thoughts in English fairly correctly, if not with full idiomatic force. Mere practice and imitation will gradualy give him that force. He begins to remember appropriate phrases as he first remembered words. But when the subject comes to be outside the experience of the unfortunate student, he cannot tell whether the phrase, or even the word he remembers, out of its particular setting, is or is not appropriate. For any real study of our civilisation, even the most advanced of the South African natives are largely dependent upon books and upon periodical literature. Hence it is of the utmost importance for their future progress to be sure that they are not attaching a wrong import to the words or phrases in which an idea beyond the bounds of their present civilisation is presented to them. Obviously translation and retranslation are a great aid in this respect, not always as throwing full light upon the

meaning of an author, but at least as warning the student that he is still inadequately prepared to receive the idea in question.

The study of English literature is for the native student a continual enlargement of his mind, not only in the usual way, but also in regard to what we should consider the elementary and accepted conditions of civilisation. And the most difficult portions of that literature which he has to study are not the dramatic portions—for the play of the elementary human passions has been much the same in all ages and in all conditions of existence—but the work of writers on political and economic subjects. *Richard II.* would be far more easily read with understanding than *The Wealth of Nations.* It is here that there must be the most tedious process of assimilation of mind, and this is the last class of authors that natives can safely read at a hand-gallop in the original. This view is borne out by the linguistic course of the four Basuto students—perhaps worthy to be called the four premier students of the territory—men of mature years, whose principal work is the study of the book which has produced the greatest social revolution our civilised world has ever known. In my report to the Resident Commissioner of Basutoland I have paid special attention to the methods of study of the Theological Class at Thaba Bosiu, a school in which one European scholar of high repute is devoting himself during successive periods of three years to the education of four, and no more than four, native ministers at a time. They have all been school-teachers of a certain amount of education, who on entrance to the theological school can speak, understand, read, and write English with considerable ease. Yet they are not allowed to study the Bible in our Authorised Version. It is the Sesuto translation which they use, and the English text is only referred to for the purpose of exegesis. Moreover, further to ensure the complete comprehension of what is said in regard to ideas so difficult for the native mind to grasp, their tutor himself lectures in Sesuto.

As another instance, we may consider the proceedings of the Native Council of Basutoland. The speeches of the members are translated into English and the remarks of the Resident Commissioner interpreted again into Sesuto. His Honour is as conversant with the native language as almost any European in the territory, while many of the native chiefs could without difficulty understand the literal meaning of his replies in English. But the matters under consideration, so far as they are concerned with the relations between natives and Europeans (and much of the discussion relates to such subjects), necessarily lead to explanations of the ideas and customs of a civilised community only partially familiar to the chiefs and councillors. The expression of those ideas first in one language and then in the other is undoubtedly a great help to their complete comprehension.

And with the difficulties of modern languages to an Englishman.—It may, therefore, be concluded that the function of translation is somewhat different in relation to the mastery of Latin or Greek by an Englishman on the one hand, and on the other to the mastery of English by a South African native. But there is another comparison which will help still further to clear our minds about this matter. We may contrast these scholastic labours, no longer with those of the classical scholar or tutor, but with the effort needed to produce a good modern language teacher. According to notions which are continually gaining ground, the foreign tongue ought in the beginning to be acquired after a method in some respects similar to the method consciously or unconsciously pursued by most mothers with their children. That is to say, there should be such concentration upon the forms of speech required to express a very limited but essential group of ideas as will produce ease and perfection of diction within that compass. About this nucleus all else is to grow, though as regards the manner of growth the special powers and defects of the older pupil, as compared with the child at the mother's knee, must necessarily be taken into consideration. A good modern language teacher ought, therefore, to have resided for some time amongst those whose idiom he wishes to convey to his pupils. Belonging to a race not so far removed in point of civilisation as to obscure the reasons for the activities which he sees around him, he will quickly grasp some at least of the essential elements of their life. Gradually as his ear and vocal organs become attuned to the unfamiliar sounds about him, he finds that the various streams of human interest are flowing along well-known channels, and that it is easy for him to live in sufficiently intimate association with a co-ordinate population as to be enabled to penetrate farther and farther into the experiences and philosophy of their social state. The study of their history, their literature, and their political movements acquires new and delightful significances from such actual observations renewed from time to time. Intercourse of this kind enables the teacher of a modern European tongue to invest his language lessons with an amount of colour which scarcely any classical scholar can give to his lectures on the dead languages. Much less formal translation is found to be necessary; indeed, the translation is often from life to life rather than from text to text.

But this superiority of the living language is not one of which the native teacher can take advantage in the same degree. He is not in a position to explain our civilisation by any to which he has been accustomed. Very rarely has he the opportunity of mixing with Europeans on such a footing of intimacy as would help him in any but the simplest linguistic difficulties. Thus, whether his case be compared with the student of the classical languages of Greece and Rome, or with the

student of modern European languages, it is manifest that he has a task of much greater difficulty. Almost all the checks which would give him a sense of proportion and security in his study of English literature are beyond his reach, and, as has already been remarked, there is no native literature to produce sobriety of judgment. It is, therefore, not to be wondered at that much of the writing in native newspapers betrays this absence of proportion in a marked degree.

The wonder really is that there are any natives able to read, write, and think in English with some approach to an accurate appreciation of the civilisation which lies enshrined in our language and literature. Where these powers are highly developed, as, for example, in the case of the Editor of the native newspaper *Imvo*, we may be sure that the mind capable of this effort possesses natural linguistic abilities of the highest order, and that the imagination has become disciplined in the course of almost countless failures to translate our thoughts and aspirations into native terms. For intellects of this order there is little use in laying down even the most general rules as to the best methods of the acquisition of languages. But in the case of native students whose minds are less richly endowed, it is probably true that translation and retranslation are the instruments which they must habitually use at every stage in their advance to a real knowledge of our literature and civilisation. Some work of this nature is no doubt valuable in the study of all foreign languages, whatever progress has previously been made. No doubt also translation ought to play a larger part in the teaching to Europeans of classical than of modern languages. What has perhaps not been urged with equal force is that, when the matter in hand is the acquisition of the living language of a highly civilised race by students whose own mother-tongue is only fitted to express the needs and interests of a people in a comparatively uncivilised condition, translation must become an instrument of still more frequent and of necessary employment.

Section IV.—Arithmetic and Allied Subjects.

Many parts of Arithmetic too specialised for natives.—The word Arithmetic has not been placed alone at the head of this section, because it is my conviction after inspecting a considerable number of native schools that what is usually regarded as a complete course of school arithmetic is not only largely a waste of time for natives in their own territories, but is in some respects actually hurtful to their minds.

Stocks, Discount, and Partnership obviously belong to a later stage in civilisation, and the study of rules such as these by the more advanced scholars must give them an impression, perhaps formed half-consciously, that much of our coveted civilisation is arrived at by devious and arbitrary paths. To

others less familiar with European ways of thought, these operations may even seem to be invested with a certain magical quality.

Natives are quite well able to understand pecuniary transactions of a somewhat complicated description if the word pecuniary be taken in its original sense. Since debts in cattle, contracted especially in connection with marriages, are by native law inextinguishable, and since it is customary for many of the bridegroom's near relatives of the elder generation to contribute to the marriage-cattle according to well-recognised rules, there is ample opportunity for intricate arithmetical questions in connection with this species of currency. Such questions would not be invested with any air of unreality.

Mechanical and unreal teaching.—But it is not only in the advanced rules that native scholars are baffled by their want of experience, and learn to work in a thoroughly mechanical way. At the very outset they are given sums in connection with the first four rules, introducing numbers with which they have never had, and are never likely to have, any acquaintance in the practical affairs of life. There is one reason, which is good so far as it goes, and one wholly bad reason, for setting sums of this kind. It is good that children should learn accuracy in their work. But this end is far better attained by making scholars do their calculations over again; and, as is generally possible, by causing them to repeat those calculations in a varied form. The bad reason for lengthy sums is to keep the class quiet while the teacher is attending to another group of children.

Again, no sooner are the compound rules explained than unpractical calculations in money are given by way of exercise in those rules. It is not only that the row of figures indicating pounds sterling often represents an amount greater than the whole annual revenue of a native territory, but that halfpence and farthings occur as often as not at the other end of the sum. At the present time natives in Basutoland or the Bechuanaland Protectorate cannot purchase anything from traders except for a threepenny bit or a multiple of this coin. Pennies are unknown and the halfpenny and farthing thus represent a fraction of an unknown quantity.

If simple fractions are to be taught as at early stage in arithmetic, and I think this altogether a wise plan, let them be taught at first in connection with units which can be recognised. Let the object selected as units be handled and grouped into larger units, and let these again be separated. It is this kind of teaching above all that is lacking in native schools. In an ordinary way the children are first required to name the numbers one to ten, sometimes merely by heart, sometimes while the teacher, pointer in hand, indicates the printed figures successively upon a card. Not infrequently I found all but one or two in the class unable to name

them in any other order. Then the figures are set under one another by twos and threes and the children required to add them without any verification, such as cubes or other objects afford, of the meaning and truth of the process. In these circumstances I hesitated to condemn the use of fingers in calculation, for this at least connects the work of the little native boy with some practical action in life, as, for example, with the herding of cattle. At the first Vacation Course I suggested to the assembled Basuto teachers that they should engage their scholars in the modelling of clay oxen (a pastime of which the boys are particularly fond and which they often execute with considerable spirit), and that these toy oxen should be used to aid the counting in the earliest arithmetic lessons. During the later period of my inspection I found that this advice had in some cases been followed. The children showed much eagerness in following such demonstrations of the truth of the first arithmetical principles.

Physical Arithmetic.—Another unsatisfactory stage in the usual arithmetic course is the part concerned with the measures of length, volume, and mass—weights and measures which in many cases native children have never seen, much less put to any practical use. If actual measurements and weighings of the very roughest description were introduced at this point in the arithmetic lessons, it is certain that those responsible for native education would be preparing the people under their charge for a most important advance in the direction of our civilisation. An experiment in this respect was made at the same vacation course, to which reference has already been made. The Lecturer on Physics at the Grey College, Bloemfontein, was invited to come to Maseru with the express object of seeing whether native teachers themselves could not be interested in the use of scales and weights to demonstrate to their classes that their arithmetical calculations were approximately correct. Nothing was employed but the simplest apparatus, costing a few pence and made up on the spot by the teachers themselves. Foot-rules, such as are purchased by the gross for use in schools, served not only as instruments to ascertain linear measure, but were afterwards converted into balances by suspending them about their middle point, and attaching simply-constructed scale pans to their extremities. The weights were of just as rough-and-ready a description. For greater lengths the rule was again employed to mark along the side of the class-room a scale of yards such as almost all the teachers would have the opportunity of setting up in their own schools. They were also required to estimate distances by paces and by eye. Undoubtedly the great resource shown by the lecturer in adapting the simple means at his command to the purposes of quantitative measurement led to this experiment being conducted under very favourable conditions. But its success was beyond all my anticipations. Not even the lessons on English composition

evoked such expressions of interest and of newly stimulated thought as did this introductory course to the arithmetic of weights and measures. It was as if the teachers were discovering unsuspected faculties in themselves, and dimly perceiving that here were regions which could be explored not only for the benefit of the scholars but also for the immediate purpose of bringing the tribe as a whole nearer to the white man's conditions of progress and well-being.

New Text-books required.—It seems to me, therefore, that new arithmetical courses and text-books are required for the native races in these territories. I can best describe the nature of the works required by saying that they should resemble Sonnenschein's *A B C of Arithmetic* for the pure arithmetic, and Worthington's *Physical Measurements* for the applied arithmetic, but that they should be made even simpler than these books, and more appropriate to native conditions of life. It would, however, be of little use to prepare such books and not to prepare the teachers to use them. This work can only be done quite effectually in the training colleges (though vacation courses would undoubtedly be of great assistance to those who had already completed their training), and it would involve the abandonment of a good deal of the more sterile portions of the present teacher's course. Such a change in the whole aim and plan of study at the training colleges could again only be completely attained by some wise alteration in the attitude of University authorities and Education Departments towards higher native education, an alteration which should ensure that as far as possible every grant of a certificate or diploma to natives was based upon evidence of knowledge gained as the result of actual experience, and not upon evidence of a mere verbal familiarity with text-books, however complete. No purely external examination system could secure this end.

It is not to be denied that the same kind of unwise arithmetical teaching occurs in many of our own schools. But its false basis is most completely exposed under the conditions of native life, and its evil results so exaggerated as to be plain to the least thoughtful observer. That basis must be changed. If, for a moment, we go back to the time of Greek colonisation and to the extraordinary progress which was then made in mathematical studies, we shall find that research into number, geometrical form, and physical properties were all closely connected. In no one direction had the limits of knowledge been extended very far, at any rate at the beginning of that period, and a great part of the course of study grew out of problems having a very practical value for the affairs of life. Though the conditions of progress in native territories are, of course, very different from those in the early Greek colonies, yet in this, as in other instances, it is possible to derive suggestions of great value from historical

developments which can in no full sense be regarded as parallel. Therefore, this notion of some preliminary undivided study of mathematics and physical measurement may well be strengthened by a consideration of the Greek precedent. What we have substituted for it is the notion of specialisation along a very narrow and unproductive track. Arithmetic itself has tended to harden into a complete knowledge of the shortest rules for arriving at numerical results. In England, where far more than on the Continent the tendency has been exaggerated, there are at present signs of a revolt against this style of teaching. Its effects are bad at home. But they do not produce as deadening a result as in the South African native territories. For the normal English schoolboy is gaining his experience of civilised conditions of life through numberless channels, so that bad arithmetic teaching, or bad school teaching of any kind, cannot altogether and permanently dull his intellect. In native territories, however, the boy is almost wholly dependent upon his school for any notions of the civilisation, and of the various forms of mental activity, with which he will come into contact as soon as he crosses the boundaries of his tribal area. Our present conception of the true function of arithmetic in native schools stands, therefore, in need of revision. We should make its study the means for quickening the scholar's reasoning and inventive powers to the utmost limit, and that not only in the later years of school life, but in the very first class which he enters. This broadening of the basis of the subject, so as to form a true point of departure for the whole study of mathematics, will be recognised by all students of Froebel as part of his essential principles. It is because the entry of those principles into school work is even of greater consequence for natives than for the European races that I venture to dwell thus insistently upon the need of avoiding any narrow or dogmatic teaching of arithmetic.

Section V.—Manual Occupations.

Manual occupations in European schools.—In European and American schools for young children, which have profited by the teachings of the great educationists of last century, manual occupations have been extended so as to include amongst others clay modelling, plaiting with straw, rushes, or twigs of osier, the stringing and arrangements of beads, and at a somewhat later stage the use of the knife in wood-carving. There is general agreement that the effect upon the development of the child's faculties is admirable. Not only do such lessons furnish an occasion for developing mathematical and physical conceptions as yet held almost unconsciously and without precision, but they predispose the pupil at a later stage to regard with favour more serious manual activities, and to see nothing in an industrial livelihood incompatible

with the worthy exercise of all his faculties. Such criticism as is forthcoming seems to be directed chiefly to defects in the working out of these conceptions. It is said with justice that no sufficient provision is yet made for continuing such manual occupations in the upper classes of the school, or for connecting them by insensible degrees with the real industrial business of life. It is said also with no less justice that the mechanical side of these occupations is too often developed at the expense of their formative influence, so that perfection of execution takes the place or originality of design, and that children whose creative faculties are not sufficiently exercised soon weary of the whole matter. It is clear, however, that such failures are not without their remedy, and that they do in fact point to the excellence of this type of early school education, as it was originally conceived by Froebel and his immediate followers.

Non-existent in native schools but practised by adults.—Taken in connection with the foregoing account of tendencies in our own schools, two facts about the possible manual occupations for boys and girls in Basutoland and the Bechuanaland Protectorate are of predominant interest. In the first place such occupations do not as yet form any part of the general school-course. In the second place they are living industries with a great part of the adult population. Among the notes in one of the appendices to my report to the Resident Commissioner of Bechuanaland, is the following account of industries in the northern part of the Protectorate:—

> "To the *Khotla* were brought at my request various articles made by natives. Either here (at Selepeñ), or at Shoshong, where I made the same request, I saw the following specimens: various wooden instruments made with the native adze, such as bowls, jugs, spoons of various sizes, folding-chairs; leathern articles of attire, such as sandals, fur-caps, karosses, belts, and necklaces of beads; deep baskets for grain, shallow baskets for winnowing, and a smaller bowl of about two quarts measure, so beautifully woven of rushes that it could be used for holding native beer. There was also a cylindrical basket, like a drum with the upper end taken out, the lower flat surface being made of skin. They then brought the ingenious native bellows used in smelting and working iron—two large bladders which can be inflated or emptied by the alternate motion of the two arms, the draught being directed down a nozzle held between the feet of the smith, who is in a sitting posture. Various clay pots were also brought, and I was assured by the chief that he and others liked their food better prepared in these than in the three-legged iron pots which the natives now procure from the traders.

> However, even if the clay pots should be superseded for cooking purposes, they will remain in use for carrying water and beer. Occasionally, it is true, one sees an old paraffin tin balanced on a woman's head. The people did not bring to the *Khotla* any of the roughly carved animals such as the guinea-fowl, the ox, the hippopotamus, or the man with the tall hat on his head, which are offered to passengers travelling by the railway through the Protectorate. But enough was produced to show that wood-carving might with advantage be made a subject of instruction in schools. Similarly the weaving of baskets and mats could be practised and improvements effected by the introduction of some of the Barotse people as instructors, since in all these arts they are the superiors of the Bechuana tribes. Perhaps one of the chief difficulties in the way of such instruction may prove to be the jealousy with which certain families who are especially skilled in these various industries preserve the secrets of their trade."

Attitude of missionaries.—It is difficult to understand why the early missionaries should not have paid closer attention to so important an element in native life, and why they should have been backward in endeavouring to give the children in their schools the manual dexterity which would have prepared them to excel in such indigenous crafts at a later date. One explanation may be that in Europe itself these ideas with regard to manual occupations for boys and girls were of the newest when the first schools for native children in the Protectorate were founded. It may also be that such a revolt as this against the austerity of older methods of education found little sympathy on the part of those who carried with them into their missionary enterprise the austerest religious doctrines. In certain cases, happily not numerous, in which the missionary was also a trader, or intimately associated with traders, material interests were involved in the competition of native with European wares. But in all probability the most general and potent influence making against any encouragement of native manual occupations in schools was the belief, extensively held by the early missionaries and their first converts, that there would be a far more rapid exchange of tribal for European habits of life than has actually proved to be possible. If the period of transition was not likely to be either lengthy or dangerous, there could be no imperative need for keeping close to the old ways until the new became perfectly clear. The missionaries, too, were oppressed with a sense of the extreme shortness of the school life of most native pupils, and they made the very natural mistake of wishing to impart as much instruction in European knowledge as was possible in the time, forgetting that instruction which is not in some

measure based upon experience has little permanent educative force. The general effect of such a school policy will be discussed later. But whatever the reason for their action, it now clearly appears that they lost a valuable opportunity which will never recur with the same fulness. For the Christian part of the population, which has grown to be large, and which is influential beyond its mere numbers, has very generally, if only tacitly, accepted the position that to encourage native crafts is to prolong the period of heathenism by interposing an obstacle to the introduction of European industries. It is at present a fact that the districts in which the native crafts of weaving and moulding are at their highest are chiefly heathen. Moreover, there is reason to think that the observed decadence of the old tribal industries in Christian areas is one among other causes which is now fortifying the heathen in their resistance to the universal extension of missionary influence.

Native crafts should be introduced into all schools.—I am, therefore, led to the conclusion that it would be a wise course for Governments and Christian missions to combine in an attempt to introduce very generally into the schools any manual occupations that lead up to indigenous industries, and not to rest until districts which are recognised as the most enlightened in other respects prove themselves foremost also in such native manufactures as appear able still to hold their own against those of European importation. One important argument in favour of this course has already been stated in my former reports, namely, that men and women able, with a little training, to teach these subjects are to be found in nearly every village, and that the amount which they would expect by way of remuneration for their work is so small as to render it possible by degrees to make such instruction almost universal throughout the native territories.

European industrial training for girls.—To confine the training of the hand and eye in native schools to those manual occupations alone which lead up to native industries would be a retrogade step. In my detailed reports to both the Resident Commissioners I have strongly urged the value of the extension of the simpler European crafts (now taught in only a small number of the native schools within their territories) to the upper classes of a much larger number of schools. In Basutoland only two schools receive any special grant for needlework; in one of these the boys were taught sewing as well as the girls and showed almost equal aptitude. Wherever knitting has been introduced it becomes a favourite occupation of the younger women both in and out of school, and I observed that not only did they occupy themselves in the more utilitarian tasks of making shawls and stockings, but that they produced such knitted ties as have become fashionable with young men in quite recent years. It may be urged in regard to knitting, as it has also been urged in regard to indigenous crafts, that cheap

machine-made goods imported from Europe will quickly supplant the handiwork of natives themselves. But there is evidence to the contrary. In some cases articles of home manufacture even drive out the machine-made goods of the foreigner which were once in vogue. The owner of an isolated store in the midst of a large native community told me that a few years ago there was a ready sale for fishermen's knitted caps with tasselled ends, a favourite form of headgear among Basuto men. The caps came from Germany. But since the art of knitting had been introduced, the women were taking to make such headgear themselves. And what is still more significant, they were prepared to pay more for the material for a cap than for the finished article. The explanation is that they used nearly twice as much wool in their own knitting so as to produce a cap which kept the head warmer. Besides, they took a pride in designing their own patterns, which, though of very brilliant colouring, had a distinctly pleasing effect.

Experiments have also been made in teaching the older scholars to spin flax, to card and spin wool, and to weave with a simple form of loom. These arts have not as yet been established on a permanent basis in the schools, still less can they be said to enter into the life of the people. Those missionaries whom I questioned could assign no good reason for their want of success in these directions. It may be that the crafts in question belong to a later stage in civilisation, when the women have more completely handed over to their men folk the tillage of the fields and other heavy labour. The only school for girls which in some respects deserves the name of a High School directed its industrial training into European channels such as washing, ironing, cooking, and general housework. One school was still attempting weaving and the like occupations, and one had abandoned the attempt for a long while. It is clear, therefore, that much remains to be done, if manual occupations for girls are to become general. They must be so graded as to enable the tribe as a whole to utilise its existing knowledge of handicrafts in preparation for those higher forms which at present require close European supervision before they can be taught with much effect.

European industrial training for boys. — Even a cursory examination of the manual occupations for boys shows that there is no general hand-and-eye training which would make it easy to select those who are best fitted to enter the industrial institutions at Leloaleng, Maseru, and Tiger's Kloof, and which would give such selected candidates the early preparation most likely to be of service to them in these schools of handicraft. Yet that the eye needs some preliminary training is clear. The Director of the Leloaleng Industrial Institute told me "that there was difficulty in making the boys see when an edge or a surface was straight. A hole would generally be bored crooked with a gimlet, a window-frame would be far from square, a wall out of the perpendicular." Much of this

inattention to form would have been prevented had the boys been made familiar with geometrical shapes in their first school-days, as our children are in their kindergartens. Clay-moulding, mat-weaving, bead- and wire-work and wood-carving might all have been used to give them an increasingly accurate idea of pattern and design. A simple course of drawing in the higher classes would have enforced these notions. As it is, there is very little connection between the work of the day schools and the work of such industrial institutions. The one is almost wholly abstract and clerical in its tendencies, the other tends to become wholly practical. This may be best seen at Leloaleng, which has now been open for twenty-five years, while the other institutions are still in their infancy. To Leloaleng, school-boys are not as a rule admitted unless they have passed Standard II., and until lately all scholars below Standard IV. were brought up to that level in the institution. This plan has been abandoned at present for lack of funds and for other reasons, such as that boys actually employed upon buildings are occupied manually from sunrise to sunset, and have not sufficient energy or spare time to pursue their studies afterwards.

It is also noticeable that these institutions rest on too narrow a basis of instruction. None has made any provision for teaching horticulture or for giving some very elementary knowledge of forestry or of agricultural operations. None has classes in regard to the care of stock and the early recognition of diseases among animals, or in regard to elementary principles of sanitation or first aid to the injured. The native is perforce many-sided in his activities, and his schoolmasters must respond to his various needs. Even the most highly specialised classes of the Basuto, the masons, smiths, and carpenters from Leloaleng, and the teachers from Morija, do not depend entirely upon these avocations for a livelihood. They have cattle and lands, and would be better qualified than most of their tribe to introduce into the country new ideas in regard to pastoral and agricultural operations. It is they who would make the ordinary villager eager to plant fruit-trees and to lead water to his village. In a word, the industrial institutions are less effective than they might be from being one sided and in the narrowest sense trade-schools.

Nature study.—In this connection the absence of all nature-study in the ordinary schools of the territories is especially to be remarked. Room must ultimately be found in the curriculum for this as for other studies which are independent of books, and of the attenuated ideas conveyed by books when detached from all the main surroundings of life. Only then will that vast part of the population which is still heathen come to perceive that the missionary schools are preparing the way for an evolution in their economic condition and not simply for a revolution in all their cherished customs.

Perhaps it was because Kingsley's *Heroes* afforded a glimpse into a state of society beyond their own, and yet not altogether

out of reach, that the school teachers ranked it high among the books which were placed before them. Such a passage as the following may have suggested to them several steps in their possible tribal development, and indicated the value of hitherto despised school subjects of study as agencies for reaching such a higher condition:—

> "And round the house sat fifty maid-servants, some grinding the meal in the mill, some turning the spindle, some weaving at the loom, while their hands twinkled as they passed the shuttle, like quivering aspen leaves.
>
> "And outside before the palace a great garden was walled round, filled full of stately fruit-trees, gray olives and sweet figs, and pomegranates, pears, and apples which bore the whole year round. For the rich south-west wind fed them, till pear grew ripe on pear, fig on fig, and grape on grape, all the winter and the spring. And at the farther end gay flower-beds bloomed through all seasons of the year; and two fair fountains rose, and ran, one through the garden grounds, and one beneath the palace gate to water all the town. Such noble gifts the heavens had given to Alcinous the wise."

Summary.—It is to be hoped that the general purport of the foregoing suggestions with regard to manual occupations in native schools is now clear. The first point is that all hand-and-eye training ought in the beginning to be given through such crafts as the people themselves are accustomed to practise, and that it should be universal in the schools. The second point is, that before the tribe as a whole can possess themselves of many of our specialised European industries, it must pass through an intermediate stage, for which preparation should therefore be made in the upper classes of a comparatively small number of schools giving an advanced general education. There the native adze may give way to the knife, and other simple tools be introduced one by one, as in the Sloyd system of wood-work. Mat-weaving will have prepared these older scholars for experimenting with the loom. The potter's wheel can be explained to them as a development of clay-moulding. Mosaic and other ornamental work may be made to amplify the bead-work of the younger children. The study of plants having an economic value and the cultivation of school-gardens ought clearly to grow out of the earlier forms of nature-study. A few scholars will acquire some considerable skill in one or other of these directions, and as their number increases, self-interest and fashion will carry the tribe forward in the same paths. Above all, as making for the highest economic advance, should stand the two or three special schools giving instruction in European industries of a more modern type. But even in these industrial institutions the specialisation should not go too far; or rather, while the students learn the practice of some one

trade or profession, they should attend scientific lectures which would awaken their interest in other economic developments of the tribe.

The policy here set out goes far beyond the recommendations as to manual and industrial training which are to be found in my special school reports on Basutoland and the Bechuanaland Protectorate respectively. Those documents dealt chiefly with existing conditions and with such reforms as might immediately be carried out. But in this report it is my privilege to look farther ahead, and to indicate by what steps we may arrive at some real coherence in the industrial training of natives within their own territories. This can only be done by the adoption of some definite scheme and adherence to it through many school generations. To develop such a policy with any thoroughness it is necessary to train teachers who can be relied upon to give the proper manual instruction of all kinds, and, in addition, to place the general school system upon a sound footing. The schools must be properly graded, and the manual occupations appropriate to each grade must be taught in those schools. Then, and then only, will there be a sure though possibly not a rapid industrial advance of these tribes, and such an increase of intelligent power in their methods of work as will make the young men and women who go beyond their own borders far more useful to their white employers than they have ever been before.

Section VI.—Native Curriculum Compared with European Curriculum.

Various views of natives about school course.—Undoubtedly one of the questions which for a long time will continue to perplex the native mind is as to whether the school education of their children should or should not be made to resemble as closely as possible the education of the European races, and, if not, what are the particulars in regard to which most distinction should be made. As has already been indicated, the general desire at present seems to be that all points of difference should be obliterated as speedily as possible. The ignorant wish this because they half believe that a few years of school life will transform their boys and girls into civilised members of the South African community; the more instructed from a fear that otherwise the dominant races will never allow picked individual natives at any time to obtain the intellectual treatment as their own sons and daughters—in other words, uniformity of curriculum is asked for as a guarantee of the open road to all learning.

There remains still another party of natives, by no means numerically strong at present, who from practical acquaintance with the unsatisfactory results of the present school curriculum are disposed resolutely to look only a few steps ahead, and to ask for such forms of teaching and such subjects of instruction as will secure some genuine advance in civilisation,

however small, without undermining those of their ancient customs which are ultimately capable of useful transformation, and which in the meantime will exercise a steadying influence upon the youthful mind. In reality, their chief concern is with the effect of education upon character. If the schools turn out a manly race, ready to do any good work which comes to its hand, and not altogether despising the ways of a former generation, they are content, even though the rate of elevation of the individual and of the tribe towards the white man's level is admittedly slow.

Goal of education to be one for all races.—From the foregoing discussion of various subjects of instruction, it will be seen that there is much to be said in favour of the views of this last party, whose wishes have not hitherto received all the consideration that they deserve. These men would be altogether wise in their opinion, if the native territories were completely detached from European control and economic influences, and had to assure their own independent future. In the actual circumstances, however, the ultimate aim of all wise native leaders must be to lead their people into a position harmonious with the general advance of civilisation in South Africa. But in a policy which only regards the next few steps there is no sufficient assurance that the advance is towards a state of civilisation of the European type. Any independent development, if steadily pursued, would almost necessarily at some future time bring the two great divisions of the South African population into open conflict. Accordingly it is prudent to borrow something from the tenets of that party among the natives which, fixing its eyes on the ultimate social justification for education, declares that neither colour, race, nor creed should be allowed to make any difference in regard to the education of the young. So far as these natives take their stand upon the principle that there should be only one goal of education for all races forced to live in juxtaposition with one another as members of a corporate whole, they are enunciating a proposition as much for the ultimate happiness of the European as of the native population in South Africa. Where their argument seems to be defective is in the assumption that this principle leads necessarily to the conclusion that, in the preliminary and intermediate stages, the subjects of instruction should be made as nearly as possible the same for the two races. As time enables them to acquire a riper experience, they will almost certainly be forced to admit that there are more expeditious ways of reaching that goal than by banishing from the school programme all the knowledge and dexterity that native races have acquired independently of Europeans. To do so is to make the vain attempt to cross over suddenly from one line of progress to the other. Instead of endeavouring to take the shortest path to the European track, they will come to see that it is better to edge over by degrees. In directing education along such a course, they would be adopting what is known in mathematics as the "curve of pur-

suit"; the curve, that is, which is steered by one ship, desirous of overtaking another, and constantly directing its course towards the position momentarily occupied by the ship in advance. Those, on the contrary, who hold that the subjects of instruction and the modes of teaching are to be deduced from the small but definite advance in position which can be won and held by each generation of natives who pass through the schools, are not debarred from pursuing their favourite method, even though they sometimes raise their eyes to see that the general direction of advance is satisfactory. In reality, these two sections of native opinion have each something to gain from the other.

University degree as the goal.—The only point left still undetermined is as to what may be considered to be the special point in our higher European studies on which the line of native advance should be directed. The degree of Master of Arts was in old times the mark of fitness to be a teacher in general University subjects. That, or, in some cases, the degree of Bachelor of Arts, still marks the point at which studies become distinctly professional, and also the point at which research work can be undertaken with advantage to the student himself. These University degrees may therefore be assumed fairly to represent the point of farthest advance in studies before the practical work of a scholar's life begins. Intellectually, a native who had gained either could not readily be distinguished from a European, and certainly in linguistic achievement would be more than his equal. If the previous studies and life of such a student had strengthened his character in the same measure, and if without any false shame he had preserved the best of the qualities and customs which keep him in touch with his own race, such a man must be held to be the equal in nearly all respects of even picked Europeans, and should only be distinguished by the particular willingness of the authorities to employ him in positions of high trust in connection with the government of the native race to which he belongs. It is the business of the schools to help to create such a class of natives, able to grapple with our more advanced problems of administration, and yet still in touch with their own people.

I take these, then, to be the tests which should be applied to each and every scheme of education for the native territories. Does it tend upon the whole to bring the tribe as well as the individual nearer to European civilisation, to strengthen the character and moral purpose of each of its members, to preserve their feeling of mutual responsibility, though perhaps under different forms from those to which they have been accustomed in the past? If so, then the school curriculum for natives may without any fear be made at the outset widely different from that for Europeans. The one essential is that in its highest manifestations education should be the same for all races which are to take their place as parts of a single coherent South African nation.

In my report to the Resident Commissioner of Basutoland will be found a series of detailed proposals with regard to the classification of the schools into three grades gradually approximating in character to schools for Europeans. It seems unnecessary to recapitulate here what is said in that report as to the subjects of instruction appropriate to the schools of each grade. But the proposals there made stopped far short of anything which could be regarded as closely connected with University education. Even the recommendation that the Basutoland Government should give pecuniary support to the foundation of some suitable South African institution for the reception of a few picked students from that territory, and should thus assist them to continue their education beyond the point provided for by any institutions within their own country did not contemplate, in the immediate present, any course advanced enough to prepare those students for a degree. The curve of pursuit would still supply an argument for the differentiation at this inter-colonial institution between the subjects and methods of instruction for the native students and those which are habitual in colleges for Europeans. But no such distinction need probably be made between the courses appropriate to native students who came from colonial schools and those drawn from the native territories. Any differences in education which might be found advisable in lower stages would then almost necessarily disappear.

Section VII.—The Missionary Societies and the Schools.

General conditions for successful organisation of schools.—In the native territories all adequate organisation and maintenance of schools appears to depend upon the effective co-operation of three main agencies; the Government, the Christian churches, and the people. In neither of the territories which I visited was there an adjustment of the relations of these agencies which could be pronounced to be so satisfactory that the spread of education was not seriously hindered by some want of co-operation between them. This is not, indeed, an experience peculiar to the native tribes of South Africa. The most advanced European nations suffer from the same cause.

There are, however, certain primitive characteristics in the relations between Church, State, and people in the native territories which cannot fail to prove interesting to those who have encountered elsewhere the same difficulties in a far more developed form. And it may be hoped that our own experience of various wasteful struggles in school matters between clerical and local popular forces, with neither of which is the power of the State quite in accord, may lead us to avert the worst consequences to the native territories of any incipient divergencies in aim between these agencies.

From a comparison between the educational state of Basutoland and the Bechuanaland Protectorate very useful deductions

may be drawn. Each has its great missionary society labouring unstintedly to establish and maintain an adequate system of schools, the Paris Mission in Basutoland, and the London Mission in the Protectorate. Compared with the work done by these bodies, all else is of lesser account.

Native co-operation in school-work greatest under native ministers.—No one who compares the results obtained in the two territories can fail to be struck with the amount of popular support which attends the efforts of the French missionaries, or with the comparative indifference shown by the various Bechuana tribes to the work of the English society. Again, no one who studies the methods of organisation of the two is likely to overlook that remarkable feature in the government of the Basuto branch of the Paris Mission which permits carefully selected and trained native ministers to have a considerable voice in the highest council of the Church; a feature which appears to be entirely absent from the Bechuana branch of the London Missionary Society. These two sets of facts are closely connected. Popular support is given where the popular element in government is conceded in cautious but ever-increasing measure.

Even in Basutoland I found a marked difference in the general interest in the work of the schools, according as the minister of the parish was or was not himself a native. The French missionaries often rode many miles to be present at my visits of inspection to their schools, and with few exceptions their relations with those of their parishioners who attended on the same occasions were marked by the most complete cordiality. But it was rare, except in the parishes of native ministers, to find an embarrassingly large attendance of friends and relations of scholars, all keenly interested in the school-doings throughout the day and eager to give their support both to the inspector and the local head of their church. It should be observed that the degree of popular support seemed to be almost independent of any particular excellence in the school-teaching. One of the largest gatherings of parents and other interested spectators was in connection with a school which I found to be in an unsatisfactory condition, on account chiefly of understaffing. But the native minister was deservedly popular. In this case it proved necessary to use the new church for the inspection; the schoolrooms were far too small for the scholars and their numerous friends.

Or where tribe has seceded from missionary control.—In the Bechuanaland Protectorate I have had a similar experience, and there the organisation and methods of instruction in the particular school were indescribably bad. In that case the parents had seceded in a body from the control of the white missionary, and had set up their own school. It was an indigenous separatist movement in no way connected with any American church. I was forced to inspect most of the classes

in a summer-house, built of poles and branches, for the doorways and windows of the school-room (already too small for the hundred and fifty children present) were blocked with an eager crowd of spectators. Lessons, I was told, went on in the ordinary course from sunrise to near sunset. The fees paid were one shilling a month, an extraordinarily high charge.

Almost all the circumstances in these two cases were different. In one the school was of the usual type (though not good of its class) and under regular ecclesiastical direction, in the other case the school was abnormal and irregular in the highest degree. Yet both were heartily supported by the people. The conclusion which may be drawn with some certainty is that any missionary church which provides sufficient scope within its own organisation to develop the administrative powers of natives themselves need not fear the effect of an agitation for secession, either internal or external in its origin. Whatever materials for a separatist party exist within the tribe, they will scarcely ever be strong enough to weaken the allegiance of any considerable body of Christian converts, or to establish an independent school. There are certain exceptions to this rule, and they are of considerable interest, but it is not proposed to discuss them at the present moment.

Influence of the chief.—One element in regard to popular control which cannot be passed over without comment is the power possessed by the chief of the tribe either to assist or to obstruct the progress of the school. Sometimes he is to be found heading a popular movement of secession. This was so in the instance mentioned above, in which the school was closed, owing to some disagreement between the missionary in charge of the district and the principal teacher, and then re-opened as a tribal institution independently of all European support or control. Sometimes his attitude is merely one of indifference to the Mission school, or of favour shown in private to a rival separatist school. Or the chief may himself be inclined to support the missionary's efforts, but judge it to be inexpedient altogether to discountenance the opposition school started by those who desire to be independent of the white man's aid. Or lastly, he may throw himself whole-heartedly into the educational work of the local pastor. An instance of each of these attitudes of the chief is to be found in my Bechuanaland report.

Utilised by the Dutch mission at Mochudi.—Nowhere in that territory was the support of the head of the tribe given so unreservedly to the mission authorities as in the area under the influence of the Dutch Reformed Church. In the village or "stad" of Mochudi, which is the centre of this district, there were more than 600 scholars under instruction. At the head of all the educational institutions stood a school taught altogether in English by a fully qualified European master. In its tiny class-rooms there were scarcely more than twenty scholars in all. Next in descending order ranked a school of

from 150 to 250 children, according to the season of the year, who were under the instruction of a Dutch lady and native assistants. Here the teaching was chiefly in Sechuana and of quite an elementary character. These two buildings together formed the central institution. Scattered about throughout the stad were a number of small schools taught by natives, and managed by them, except for the general superintendence of the missionary in charge of the station. No fees are charged in these auxiliary schools, the teachers giving their services without remuneration. The one that I visited was held in a substantial building, erected by native labour given gratuitously by the tribe. A brother of the chief had paid £90 for the material used in construction, and had himself undertaken the duties of principal teacher. His pupils were able to count up to 10, they sang simple hymns and songs in unison, and they read in Sechuana, the most advanced pupils from the Bible itself. For a fuller account of the educational work of this Mission, both in the town and the whole district, my report to the Resident Commissioner of the Bechuanaland Protectorate must be referred to. These school arrangements are touched on here merely to indicate as briefly as possible the skilful way in which the Dutch pastor had utilised all tribal influences centring in the chief to aid the objects of his Mission. Of his enthusiasm, and other qualities for the work he has chosen, I do not propose to speak here. The point to be grasped is that when a Mission is directed by men who for generations have had their home in the country, and are intimately acquainted with native ways of thought and tribal organisation, such enthusiasm becomes disciplined and consequently far more effective. Among the most hopeful signs at present for the progress of the native races in South Africa is undoubtedly the activity in Mission work displayed by the Dutch Reformed Church of South Africa.

Attitude of the P.E.M.S. towards the chiefs.—This also is one of the many advantages for its work possessed by the Paris Evangelical Mission Society. The families to which most of the missionaries belong may be said by now to be almost indigenous to Basutoland. Yet their attitude towards the chiefs is very different from that just described. Upon the whole it may be said that the traditional policy of these missionaries is to keep the chief at a distance in regard to most church and school affairs. They say that they find his influence so strong in the internal business of their society as to interfere with much of the proper influence of the missionary. Rightly to understand the difference of their point of view and that of the Dutch Church, it is necessary to examine still more closely the character of the organisation of each of these Presbyterian bodies. As regards the church of the Paris Mission, besides its chief assembly, which deals, amongst other matters, with the general policy of education and distributes the central school-grants, there is in each parish a local advisory body

called the consistory, managing the school as well as the other affairs of that particular church district. The appointment and dismissal of teachers rests with the president of the consistory, who is the European missionary, or native minister, as the case may be, in charge of the parish. But though his decision is binding upon the local assembly over which he presides and is nominally unfettered, yet in practice it is difficult for him to act otherwise than in accordance with their wishes. As is observed in one of the notes to my Basutoland report, this arrangement is not altogether dissimilar from that which prevails in the tribal assembly, where the chief seldom proposes to take action or pronounces judgment contrary to the known opinion of any large majority of his councillors. But it is just the existence side by side of these two local bodies each with a really popular element (though in theory dependent upon the will of one man) which creates the difficulty between the parish minister and the chief. If the latter is a member of the consistory, it is not in human nature for him to refrain from attempting to use the power he has in his own place of assembly to influence his brother Christians in the missionary's place of assembly. And it is clear that in those parishes in which a native minister presides over the consistory, the presence of the chief may still more easily result in decisions being arrived at which are quite contrary to the best interests of the church and of education.

But whereas the chiefs would like to take advantage of the stable conditions of society produced by British supremacy to make their own mode of government more autocratic than in the past, the Paris Mission is genuinely doing its best to place its church on a really democratic and national basis. Its chief assembly will in two or three years contain a majority of native ministers of parishes. And though their districts are not nearly as populous as those of the European missionaries, yet if the present policy be continued, as there is every reason to suppose it will be, no long time will elapse before a majority of all the school children in Basutoland will come under the local direction of native ministers. It is this strong local Christian influence—an increasingly democratic influence —which the chiefs fear most. They feel that the basis of their tribal society is being weakened by the only method which can effect the transference of power from an aristocracy to a democracy without violent change, namely, by reducing the size of the effective unit in government, and by giving it a popular character. Under these conditions the replacement can without undue danger be made bit by bit, always on the supposition that sufficient central control is retained by the church as a whole to preserve the general design of the new state of society. Thus, though the heads of the various Basuto clans are fully aware of all they owe to the Paris Mission in helping to preserve their national existence, the feeling between individual chiefs and individual missionaries is less

cordial than between the two bodies collectively. As evidence of this, it may be observed that in Basutoland the local native chief was not commonly present at my inspection of schools. I have almost invariably recorded the instances in which he attended.

The Dutch Church, as might be expected from her history in South Africa, adopts the aristocratic relation between the white man and the native, and is therefore prepared to accept similar relations between the head of the native clan and his people. According to this theory the European pastor is as much the superior of the chief as the chief is of his tribesmen. There is nothing in such a relation at all inconsistent with native ways of thought: hence the readiness with which the school-system at Mochudi has been elaborated. On the other hand native society under this system of church government (which is obviously a considerable modification of the Presbyterian type) is not being prepared for any change in structure. The white man's acceptance of the system, as he finds it, even tends to perpetuate a social order that might otherwise have undergone much internal transformation.

Policy of the London Missionary Society.—The increase in the effectiveness of the labours of such missionaries as have been long enough in the native territories to understand and to take advantage of the relations between the chief and his tribe for the furtherance of their educational work is illustrated by the success of those agents of the London Missionary Society who have most continuously been working in the Bechuanaland Protectorate. On the other hand, the centres in which the church-and-school-movement of secession has made the most headway are usually those in which less inexperienced European workers have become needlessly entangled in disputes with the chiefs or their relatives and principal followers. A successful native mission policy in education is generally directed and carried out by those who are colonial-born, or who have spent a great part of their life in the country. As far as is safe, European methods of administration are assimilated to native methods, and, above all, authority is vested in one person whose decision is required to be prompt and almost always permitted to be final. In my report on the school work in the Bechuanaland Protectorate I have pointed out some of the ways in which the organisation of the work of the London Missionary Society falls short of these ideals, and they need not here be recapitulated. The whole problem of the establishment of native churches has been admirably treated by the Rev. E. Jacottet in a recent paper read at the Johannesberg Missionary Conference ("Native Churches and their Organisation," Morija, 1905).

Moshesh.—It is only just, however, to point out that the London Missionary Society has had to contend with difficulties in regard to the establishment of schools greater than those

experienced by the Paris Mission. For Europeans continuous residence in Basutoland is more generally possible than in Bechuanaland. Other influences besides those of Christianity have tended to make the Basuto people progressive in their social ideas and to weld them into a single nation. No trade route or railway has cut through their territory. Above all, they have possessed in the past one of the greatest chiefs of Bantu extraction of whom we have any knowledge. Almost without interruption Moshesh took counsel with the French missionaries whom he had invited into his country, and between them was evolved a national policy which is still operative in certain directions. This is the more remarkable since Moshesh never became a Christian. He had the great merit of standing not so far removed from his people but that he was able to identify himself with their interests and to see most matters from their point of view rather than from the European standpoint.

Lynchwe.—In this respect the Dutch Reformed Church is fortunate in being brought into contact at Mochudi with a chief who appears to have some of the characteristics of Moshesh, though on a smaller scale and with a much more limited field of action. He has become a Christian and has put away all his wives but one. Yet he does not use his authority as chief to make his tribesmen follow his example in these respects. His support of education is most active, and the number of children wishing to attend school has quite outgrown the accommodation for them. With the assistance of the tribe, the foundations of a large new central school were already laid on an eminence near the mission-house at the time that I visited his country. The stad itself showed evidence of progress. The principal lanes of the village were well cared for; fruit-trees grew in the outer courtyards, and the inner yards and huts were clean, and here and there were ornamented with appropriate designs. At my meeting with the chief and his people in their *Khotla*, the discussion in regard to education was unusually free from complaints as to unsatisfactory relations between the tribe and missionary; it turned chiefly upon the various ways in which the schools could be improved; for instance, by the employment of better teachers, by industrial training, and by the use of more English. The missionary in charge of the station confirmed all that I had remarked about the trustful relations between Lynchwe and his councillors and other members of the tribe. He also spoke of the chief's willingness to be guided by European advice in matters relating to the schools as well as the Church. This testimony was of real importance, since in my own intercourse with Lynchwe, our different standpoints made any mutual understanding difficult, and almost produced the feeling that his thoughts were being intentionally concealed.

Khama.—It is impossible not to contrast the attitude of Lynchwe, both towards his own people and towards Europeans, with the attitude of the neighbouring chief, Khama. Such a

comparison has its direct bearing upon several of the problems of native education, and is therefore pertinent to this inquiry. I could not but be greatly surprised to find on visiting the stad of Serowe that the principal school building in Khama's country consisted of a mere iron roof without any walls to protect the children and teachers against wind and rain, or against slanting sun and dust. For nearly three years this framework had remained uncompleted, either by the importation of wooden panels on the part of the London Missionary Society, or by filling in the gaps between the iron uprights with sun-dried bricks, such as the natives themselves are accustomed to make. For comfort and permanency of structure both should have been used, the bricks within to secure warmth, and the panels outside to protect the half-baked material against wet. This uncompleted building was only one indication of serious differences of opinion between the Society and the chief and tribe in regard to the teaching of their children. It was not until after leaving Serowe that I became aware of the existence of a private school which was favoured by Khama and conducted in the *Khotla* by one of his grandsons as teacher. Probably this was not largely attended, or it would have been brought under my notice at the time. But neither was the official school of the mission of a size commensurate with the population of the stad. An attendance of 100 scholars upon the day of inspection in a town of 18,000 inhabitants is itself a clear indication that the people are not sufficiently eager to avail themselves of the education which is offered to the younger members of the tribe.

That this unsatisfactory state of affairs should have continued for so long under a man of Khama's unique intellectual and moral force, aided by an able and devoted agent of one of the first missionary societies in the world, appeared so strange as to make it incumbent upon me to obtain any information which would render clear the real reasons for the chief's action. The details of my interview with Khama are given in my Bechuanaland report. He declined to assist with tribal labour in putting up walls to the school-house. Further, when I suggested that he should encourage the formation in his stad of a number of small schools of a very simple kind which would act as "feeders" to the central school, and that he should find the money for the purpose by proposing to his tribe the levy of a small rate at so much for each hut, he refused to entertain either proposal, though he admitted that the imposition of such a rate would be in accordance with native ideas of mutual support. In neither case was I proposing to Khama an untried line of action. In the first place, the school-rate has been tried elsewhere. In the second place, before the native town was removed from its former position to Palapye to its present site, there had existed a far more successful central school than at present, with a number of small auxiliary schools in addition. The reason why this plan of "feeders" came to an end was, as the tribe themselves

acknowledged, that they would not pay the school fees which were asked by the missionaries for the purpose of maintaining the necessary additional teachers.

The fact that the chief had refused to entertain my suggestions, and that possibly I had not understood his reasons, seems to have weighed upon his mind, for not long after leaving Serowe I received from the missionary at that station a letter written at Khama's express desire, and evidently rendering his words with the most careful fidelity. This letter illustrates with such extraordinary clearness the use to which a Bantu chief, tenacious of all his rights and anxious to achieve the highest Christian ends, may put the constitutional relations between himself and his tribe that it is reproduced in full:—

> "This afternoon (8th Nov., 1905) the Chief Khama called to see me in reference to our conversation of yesterday. He came of his own accord and said he wished to follow up his remarks in that interview, and to explain his attitude in regard to education in his tribe. He said that he feared you would possibly have carried away a wrong impression as to his attitude on this subject, and especially of his refusal to bring up the matter of a tribal contribution for the upkeep of schools in his tribe. He wished me to tell you that he was personally anxious for his tribe to advance in education; but that under tribal government it was necessary that the people themselves should endorse any suggestion emanating from the Chief, and his refusal to bring up the matter before them was simply because he did not believe that the tribe as such would endorse such a proposition. He then gave me a résumé of various propositions which he had brought before the tribe in days gone by, which in his own opinion were for the advancement of the tribe. In the early days of his reign he had brought up the subject of the *Bogwera* and *Boyali* ceremonies (the native circumcision rites), as he knew that the tendency of these ceremonies was against the advancement of the tribe and of education. About the same time he also stopped secular work on the Sabbath for the same reason. He carried out these reforms solely in virtue of his powers as Chief, against the wishes of the majority of his people, but believing them to be for their advantage. Later on he forbade the use of Kaffir beer, beginning with the younger tribal regiments. Upon this the elder members of the tribe objected, saying that it was very difficult for them to forbid their children drinking Kaffir beer when they habitually saw their parents drinking it, thus hoping Khama would

rescind the law; whereupon Khama entirely forbade its use to the whole tribe, both young and old; and for years there was no Kaffir beer-drinking in Khama's town. But later there arose a certain section of the tribe under the patronage of his younger brother, Raditladi (Radiclari), who desired Kaffir beer-drinking again. Khama refused to listen to them, or to alter the law, whereupon they went to the Magistrate and asked for relief from the pressure of this law. When the case came on for trial, the Government, while acknowledging that Khama was acting distinctly within his rights as Chief in this matter, at the same time so far agreed with the dissentients as to give Raditladi the right of taking his followers with him and their cattle and going into another part of the country. This, from Khama's point of view, was a distinct weakening of his position as Chief, and a distinct encouragement to dissent in the future.

"Later on Khama's son, Sekgome, caused another disturbance among the younger men of the tribe, which, disguised under many minor charges against the Chief, was actually an attempt for the Chieftainship. This case was also tried by the Government, and the outcome was the same as the previous case. Khama was exonerated from any blame, but at the same time Sekgome was allowed to reside in Khama's country as Chief over those who had supported him, and is there to this day. From these instances it is evident to Khama that his power over his people is weaker to-day than at the beginning of his reign, the Government practically putting a premium upon dissent by promoting to independent Chieftainship the heads of the dissentients. He moreover said that he is now an old man (he is about seventy-five years old) and does not feel equal to bringing before his tribe a subject which the majority of his tribe would not endorse. He fears that should he adopt such a scheme as is proposed of compulsory contribution for educational purposes, the dissentients will go to the Government, raise their objections, and in due course be allowed to hive off as a separate tribe with a Chieftain chosen from among themselves, thus further dividing and destroying his Kingdom.

"He has again promised to give me the opportunity of speaking to the tribe and of urging them to adopt your proposal. When this meeting has been held I will let you know the result. I think you will agree with me that after Khama's experience of the past troubles, his present attitude is the only reasonable one left to him."

Khama's whole theory of the means for the education and ultimate Christianisation of his people is here embodied with equal clearness of thought and expression. According to his ideas it is only necessary for a Christian church and a Christian government to work hand in hand with a Christian chief in order to secure the benefits of European civilisation and religion for his whole tribe. The chief would, it is true, become an autocrat as far as his own people were concerned, but he would only be the minister of a civil and ecclesiastical European authority in perfect agreement with one another as to the ends they desired. He would not hesitate to propose any reform which they indicated, and which he himself approved, for there could be no fear of the dignity of the chieftainship being lowered by resistance on the part of the tribe. Any proposal of the chief would in fact be a decree to take effect within a given time.

The point of view of the more independently-minded of his people would certainly be different from Khama's point of view. They might not dispute his statement that any proposal made by the chief would after a certain interval necessarily become law. But they would know that according to their ancient customs there were other alternatives. They might get rid of their chief. Or they might leave him in a body, if they proved themselves strong enough to do so. Both of these methods were tried successfully in the case of Khama's father, not because he was a reformer, but, on the contrary, because he was ultra-conservative as well as cruel and tyrannical. During old Sekghome's chieftainship many of the people left the stad and joined Khama when he went into exile at a distant cattle-post. Later on, with the full consent of his people, he was obliged to banish his own father. Until the advent of the British Government it is clear, therefore, that the tribe had their own remedy in dealing with a chief who went very far beyond their own wishes, either in the direction of progress or the reverse. Had European control not come so soon, Khama must undoubtedly have fought with a part of the tribe for his Christian principles, and for their social advance under a doctrine of chieftainship which would probably have become indistinguishable from the Divine right of kings. In his remarkably clear mind there is evidently a fixed idea that the Government, having made it impossible for him to bring his people to order in one way, was bound to aid him—and his advisers, the missionaries—to enforce his decrees in another way. The civil authorities thought otherwise. What they did sanction was practically an appeal to the people. Thus, when in the matter of the drinking of native beer the choice was allowed them of remaining with Khama and forgoing the use of all fermented liquor, or of hiving off, and still drinking their native beer, it became so clear to their chief what the decision of the great majority would be, that he rescinded his edict. In consequence, nearly

all his tribe remained with him, continuing in the practice of a habit which many experienced observers, including the recent inter-Colonial Native Affairs Commission, had declared to be beneficial to them. Khama's mind, however, has not changed, though he sees the wreck of the whole system of educational reform which had been his life's object. In the matter of the school-rate, he would still use his authority as unhesitatingly as ever, if he could feel sure that the Government would support him.

The remarkable thing is that a chief of much less power and intellect has succeeded in doing what Khama now feels he has not the means of carrying out on his own responsibility. Bathoeñ has not only introduced a school-rate of 2s. a hut into his own stad, but has extended its collection to outlying villages, and the proceeds now go to the aid of education in all these places. One of his tribe used an apt simile when they met me in the place of assembly. Speaking of the need of unity and co-operation to secure progress in the schools, he alluded to the conduct of women when they go out at dawn to gather locusts for food. It seems that the insects are then very drowsy and do not attempt to fly away until they have been warmed by the first rays of the sun. The orator said that all must work together to gather a bagful of locusts. I believe this to be the sounder view. It is the view held by the Paris Mission in Basutoland. The people themselves, or at least a considerable section of them, ought first to be convinced of the advantage of the Christian religion and of education, and of putting away such of their customs as are seen to be harmful. Then the chief can safely propose his reforms and the Government will support him. An advance of this kind comes slowly at first, but in the end with irresistible power and swiftness.

To this point I shall return later; my immediate concern is still with the uncompleted school-house which led to the interview with Khama and his subsequent communication with me by letter. The government authorities most obligingly consented to furnish me with an extract from the diary of the Assistant Resident Magistrate at Serowe, dated the 25th of October, 1904, and also with a copy of the minutes of a meeting of the Bechuanaland District Committee of the London Missionary Society held in the same place on the 15th of October of that year. These deal with two matters, of which only one related to the unsatisfactory state of the school at Serowe, as regards buildings and attendance. The other matter had to do with the tribe's reasons for not handing over the native church and ground at the abandoned capital town of Palapye in order that the Mission might there establish the industrial institution which has now been placed at Tiger's Kloof. In both these cases Khama appears as a mediator anxious to diminish the state of friction between the missionaries and his people. He endeavours to be loyal both to the

church of which he is a deacon and the tribe that has set itself against his ideas of progress. But his intervention is ineffectual. Even the nine native deacons of the church manifest the same spirit of unfriendliness to the Mission as the rest of the people. They refuse to build the walls of the school. They refuse to pay such fees as will suffice to maintain the native assistant teachers in a suitable manner. They look askance at the new industrial institution at Tiger's Kloof, and decline to say why they will not give the old church at Palapye for the purpose of that institution except on terms that the Mission is not prepared to accept. Chief Khama is seen as a splendid but isolated figure, out of touch with the Government and the Church, and with diminishing control over his tribe and its affairs. He embodies a warning to all reformers in native affairs who attempt too sudden a transition from native ways of life to the ways of Europeans. He shows us that the man who seeks to lead his tribe more than a very few steps towards our civilisation must himself, whether a chief or not, be content to wait for the slow operation of education and experience among his people.

Yet it is impossible to withhold our sympathy from a man of so lofty a nature and so untrammelled a power of vision, whom all the tendencies of the period in which he began to rule conspired to deceive. When John Mackenzie, who had been associated with him at Shoshong for so many years of his life, was appointed Resident Commissioner of Bechuanaland, the Chief may well have drawn the inference that Church and State henceforward would be drawn closer together for the education and immediate civilisation of his tribe, and that at last all his cherished aims were to be realised. Read in this light, Khama's words when again he met Mackenzie during the progress of the Warren expedition have a special pathos: "I shall lean on you as in the olden time. Stop me if I go wrong."

Section VIII.—The Government and the Schools.

The difficulties between Governments and Missions.—The European administration in native territories may sometimes be placed in a position of peculiar difficulty between the mission directing the schools upon the one hand, and upon the other the people anxious to make their voice heard in regard to the education of their children. So much is clear from the foregoing account. The difficulty is increased if there be more than one mission agency at work within a given district, as in Basutoland. Fortunately in the Bechuanaland Protectorate the London Missionary Society, the Dutch Reformed Church, and the Hermannsburg Society have addressed themselves to different tribes, so that there is no overlapping of their evangelical work or of their school administration.

One matter becomes clear as soon as we examine somewhat more closely the position of government officials in districts in which the natives have become disaffected towards any particular European mission, and have either set up their own church and school or threaten to do so. No revolt against the civil authority is intended in the first instance. For example, on entering the door of the school already alluded to which had been re-established independently of the agent of the London Mission, I was greeted by the children singing the National Anthem with much fervour. The head teacher and the chief clearly intended to show their fullest respect for any representative of government, who might come to see how the children were progressing in their studies. Again, in the dispute between Khama's people and the missionaries as to the grant to the Society of a plot of land at Palapye for the proposed industrial school, the tribe would only lend (*adima*) the ground to the mission, but not give or sell it. When it was pointed out to them that they had made a previous grant of land to the Railway Company, their reply was that "this grant of land was made to the Railway Company at the instigation of the Government, who are their masters, and that when the Government took over the country they stated at the commencement that they would probably want portions of land from time to time. But when the London Missionary Society first came to the country they made no such stipulation or request, but simply said they had come to teach the people." In the same way Moshesh invited the French missionaries to come to Basutoland to instruct his tribe, and they have ever since held informally the position of advisers to the more advanced of the Basuto Chiefs. But the land which they have so successfully cultivated, and on which they have built substantial dwelling-houses, churches, and schools, was never given to them in perpetuity. It is still the land of the tribe, though there is now no fear of any disturbance of the tenant. The whole difference of position between the government and the missionaries in relation to the tribe is the difference between the overlord and the highly valued but unofficial counsellor whose proposals may or may not be accepted. Most of the headmen and of the better educated natives understand that the action of the one class of Europeans is not binding upon the other. But in the remoter parts of the territory, and among the more ignorant of the population, this distinction is not always clearly drawn. A successful revolt against the authority of the mission lowers the prestige of the Government. This was quite apparent during a visit of inspection I paid to a school at an out-station between Molepolole and Kanye. There was here a new church of considerable size built by the congregation which had seceded from the London Missionary Society. The church was of burnt brick with an iron roof. The school remained still, as it were, on sufferance, under the control of the mission, and was conducted in a dilapidated building

much in need of re-thatching. The manners of the teacher plainly showed that he would have been insubordinate had he dared.

It is not difficult to perceive the steps by which a separatist movement among adherents of the various native churches might locally become an agitation against all European control. There is therefore every reason for much closer co-operation between the government and the missionary societies than has hitherto existed. Especially is this the case in education. In my Basutoland report I have indicated how the operation of the "block" grant makes against any intimate official knowledge of the state of individual schools. In the Bechuanaland Protectorate there were no grants at all until within the last few years, and the Government had no real connection with the schools. So much was this assumed to be the case by the principal natives in certain tribes that when I visited Chief Sebele he spoke, until rebuked, as if the Government were now about to offer to his people a kind of education which the missionaries had been studiously hiding from them hitherto. One chief lesson to be learned from a study of the school systems in native territories is that all Europeans bringing civilising influences to bear upon the tribe must take counsel together, and show a united front in matters of education as in other matters.

The difficulty of overlapping Missions.—This is in no case easy, but such a course is rendered still more difficult when, as in Basutoland, there is more than one mission doing its work in the same district. It has already been explained to what a remarkable extent the Paris Mission has succeeded in building up a native church untroubled by serious movements of secession. There is, therefore, all the greater significance in the fact that wherever in Basutoland agitations for religious independence have been at all successful, they have generally occurred in places affected by the work of more than one mission. In the passage of remarkable spirit in his paper on "Native Church Organisation" the Rev. E. Jocottet says:—

> "How can a native Christian understand the real differences of the various denominations? How can he be even supposed to understand them? Instead of one Church he is confronted by a score of them. It means as many different organisations, all of them generally modelled according to the most approved European or American pattern. The Episcopalian régime, which is perhaps so well suited to England, is to be saddled upon the poor native, who does not know who are Cranmer, Laud, or Pusey! The Presbyterian system, which is said to have worked so great wonders in Scotland and elsewhere, is imported wholesale! What do the Kaffirs or Basutos know about Knox or Chalmers? Why should they be

> obliged to accept a system which, for all we know, may be unsuited to their own minds and ways of life, only because the course of history has made it prevalent in Edinburgh or Geneva. Because in the sixteenth century there has arisen in Germany a great man of God called Luther, and in France another great Christian called Calvin, who did not agree on some minor theological points and thought a little differently about the Lord's Supper—the Basutos and the Kaffirs are to belong to different churches and to be kept for ever in separate ecclesiastical bodies, foreign and perhaps hostile to each other! Why force upon the simple-minded native the consequences of a historical past which weighs only too heavily upon the home Christian?"

From the point of view of the schools, no less than from other points of view, these words have great weight. In successive visits of inspection I passed from three competing schools in the Government camp at Mafeteng, each supported by a different denomination, to the single school in the isolated village of Masianokeng. None of the rival schools at Mafeteng was good of its kind. That of the Paris Mission had 172 scholars, the English Church school 85, and the school of the separatists (probably containing perverts from both churches) 83: in total not a greater number of scholars than could be taught satisfactorily in a single school. About all there was a certain air of lassitude. Not so with the school at Masianokeng, which came under my notice immediately afterwards; it has already been spoken of in this report as showing unusual vigour and originality in its work, especially upon the language side, and it was thoroughly incorporated with the life of the village community.

Central and local co-operation with Missions.—Unfortunately there is no complete remedy for the state of things that is to be found at Mafeteng. One measure of prevention which I put forward at an official meeting with the representatives of the Paris Evangelical Mission and of the English and Roman Catholic Churches was accepted by all denominations. They agreed that a Central Board of Advice, including not only delegates from these religious associations but also representatives of the Government and the tribe, should consider, amongst other things, how far it was possible by mutual agreement to limit the operations of the various churches so as to prevent unnecessary overlapping in their various school areas. But the other measure which I proposed, and which would have provided a remedy for such a state of things as existed at Mafeteng, did not ultimately receive the approval of any of the representatives. It was to establish local school authorities in certain districts where two or more missions were now at work, to make these authorities representative not only

of the churches concerned but also of the Government and people, and, as soon as they were established, to place all school affairs for the district in their hands, with the power to impose a local school-rate.

In Bechuanaland I had no such meeting with the heads of the Missions, but so far as concerns the largest society at work in the Protectorate, I did my best to sound its agents unofficially, and I have little doubt but that they would be ready to recommend to the home authorities of the London Mission the establishment of some form of local financial responsibility and of local control (to include native representation) in all places to which their school work extends within the territory. Some of the missionaries would even like to see the Government take over the whole responsibility for education. This latter desire may be due to their own momentary dissatisfaction with the comparative want of success of their school work. But quite apart from the difficulty of assuming such a financial burden in the present state of the revenues of the Protectorate, the Government would in my opinion be unwise to sever the direct connection between the religious teaching of the Christian churches and the secular instruction in native schools.

Co-operation with chiefs and people.—The relation in education between the European administration and the chiefs and their people has yet to be considered. Wherever in Basutoland the schools had made any progress at all, the Government inspector, as far as my experience goes, was received in the most cordial fashion, and it was rare for the headman of any village through which he passed, even in places where there was no school, to omit to say with all the emphasis at his command that what the tribe needed most of all was more education. In the Bechuanaland Protectorate there was greater indifference. As a rule the economic value of the schools to the people had not been grasped in the same way. Still, even in such cases, there was nearly always the disposition to accept the mere suggestions of the representative of the Government in regard to education as of decisive importance.

This almost unquestioning submission of the native races to the pronouncements of their European officials renders it essential that both the general school policy of the missionary bodies, and the manner in which it is carried out in detail, should be closely watched by the Government, and aided with much discrimination. In practice the Government has seldom any choice but to support the action of the missions, even in those cases, happily rare, in which that action has been injudicious. For it is only upon the secure basis of Christian teaching and example that education can safely be given to the native races of South Africa. The Governments in native

territories can therefore neither afford to do without the assistance of the missions in regard to the schools, nor to approve of educational methods which cannot heartily be recommended to the chiefs and their people. Owing to the separatist church movement in Bechuanaland this matter is there of peculiar and immediate importance. By means of grants of money, not necessarily large in amount, but spread over the whole school course, and administered with the aid of a special education officer, who is required to make his recommendations for each individual school, much may be done to reconcile these sometimes conflicting interests.

The more thoughful men of the tribe, as it appears to me, chiefly desire three things: that the teaching should be for all the children, not merely or principally for those of Christian parents; that the teachers should as a rule be drawn from their own tribal area, and, if possible, prepared for their work at some institution within the territory; and that there should be an element of sound industrial training, which, if not universal, should at any rate single out in each school those most fitted to carry the native community forward to more civilised conditions of life. There is nothing in these proposals contrary to the interests of the respective administrations, and it should be added that the missions which take the most enlightened views with regard to general education have already adopted such a school policy.

In support of industrial schools.—The degree of importance which the Basutos themselves attach to industrial training is indicated by the action of their late chief, Lerothodi, in collecting a sum of £4,000 towards the foundation of the institution now known as the Government Industrial School. Since the Paris Mission had for many years, and with considerable success, carried on another industrial school at Leloaling, this action on the part of the tribe must be taken as an indication that in their opinion not enough has yet been done in this direction, and further, that industrial training is a matter of such deep concern to the whole native population as to make it imperative for the Government themselves to assume the leadership of the movement.

It is interesting to note that of the twenty-nine apprentices with which the institution opened seven were heathens. As regards all the heathen applicants to enter the school (from whom these seven were chosen), none was excluded on the ground that his parents objected to his receiving religious instruction. In point of fact, every heathen accepted chose of his own free will, or at his parent's desire, to attend the Bible Classes of the Paris Mission. Though the director of the Industrial School is himself a clergyman of the Church of England, the character of the religious services held in the institution itself was such as all denominations could accept.

It is this guarantee for absolute impartiality that the Government alone can give, which doubtless had something to do with the wish of the chiefs that the institution should not be placed under the control of any particular denomination.

But another motive may also be indicated. In regard to the higher education of the people, the chiefs may not impossibly have wished to come directly into contact with the Resident Commissioner and his staff, and to have the opportunity of making their voice heard in the management of the institution. That this is even probable is suggested by certain inquiries made by members of the Native Council as to various financial details in connection with the Industrial School, and as to the appointment of a committee of chiefs and others to keep the Council permanently in touch with the working of the institution.

And of schools for sons of chiefs.—There is much to be said for some closer and direct relationship between the leading men of the tribe and the Government in all that concerns the bringing up of those who are indicated, especially by birth, as likely to play a considerable part in the fortunes of the Basuto people. The Paris Mission is certain always to bring a democratic element into the affairs of the tribe. Through the Normal School for the training of teachers at Morija, and the Theological Class which has recently been moved thither from Thaba Bosiu, there is at present a greatly preponderating influence in favour of the commoners. That the native students are not all trained to be teachers and ministers is clear from the numbers attending each year's course in the Normal School. The figures given in my report are thirty-two for the first year, eleven for the second, and twelve for the third. Of course a certain number of pupils go out to teach after receiving only one year's training. But the very large discrepancy in numbers between the first and other years is also to be accounted for by students who take this as the best means within the territory for carrying their school education farther and qualifying themselves for various positions in connection with what may be called public affairs. A certain number of clerks and interpreters are needed by the chiefs as well as by the British Government, and doubtless those who acquit themselves of their duties in a satisfactory manner will become advisers of these chiefs and ultimately sit in the Native Council. It is true that there are a few chiefs who send their sons to Morija and there subject them to the specially democratic influences of the place, yet there are others, more in number, who are averse to such conditions of training and whose sons in consequence never receive the educational advantages which are their right. To these chiefs a Government institution would appeal with especial force, and for this, amongst other reasons, it may be expected that the Industrial School will ultimately come to have a distinctly aristocratic complexion. This tendency will

grow as soon as provision is made at that institution for the teaching of land mensuration, gardening, horticulture and the elements of agricultural and forestry, with special reference to their applications in Basutoland. Such knowledge is of special value to the sons of chiefs, and their interest in reforms connected with agricultural and pastoral industries would help greatly to advance the economic position of the Basutos.

In my report to the Resident Commissioner I have recommended the establishment of such an agricultural department of the Industrial School. But no special recommendation has there been made in regard to the education of chiefs' sons either in that institution or in some school preparatory to it. The matter was a good deal in my thoughts while I was in the country, but no immediate steps seemed to me to be practicable. In this report, however, a wider view may suitably be taken. And, therefore, I should like to say here that there does not seem to me to be any good reason, except the consideration of expense, why the Governments in all the larger native territories of South Africa should not themselves establish a boarding-school, primarily for the sons of chiefs, but also open to a limited number of the sons of the wealthier natives who are commoners. To produce the most satisfactory results these must be separate schools, each for its own tribe, or for closely connected tribes. A Government school, largely on an aristocratic basis, for the Bechuana natives, would much diminish in the future the difficulties of the British administration, and lead to greater harmony between those tribes. The chief men of the Basutos would feel their national, as distinguished from purely tribal, life still further strengthened by such association together in youth. It may be said that the Church of England school in Cape Town, called Zonnebloem, was designed by Sir George Grey to fill such a gap in the education of the native races. That this school, far removed from all native life, and associated with no tribe in particular, has not altogether succeeded in the object with which it was founded, does not, however, prove that institutions with the same aim, but placed to greater local advantage, would not be more successful.

Section IX.—Educational Limits of the Individual Native.

Statement of the problem.—Among the most difficult but not less interesting of the problems in connection with native education are those relating to any possible limits to the advance of the individual and of the tribe in the direction of our present civilisation. Intellectually, and in force of character, may we expect to find individual natives rivalling Europeans within any period in the history of races of which we can reasonably take account? As civilised communities are the Bantu tribes likely within any similar period to draw closer to the white races which then inhabit South Africa, or will

they merely preserve their relative distance, or even fall farther behind?

By confining the question to the native territories, as in the other parts of this report, we are enabled to exclude all reference to any admixture of European and native races through intermarriage. As a matter of fact the number of the "half-coloured" inhabitants in Basutoland is extremely small; in the Bechuanaland Protectorate it is larger, but even there it appears only as an insignificant percentage of the total population. Thus a cause which already operates powerfully in some parts of South Africa as a link between the European and native populations becomes here an insignificant factor and is properly omitted.

Mental saturation as observed among natives.—In the discussion of the capabilities of individual natives, it may be well for the present also to leave on one side the few cases of men of genius, for the reason that no system of education, however good or however bad, seems greatly to affect the development of natural powers of mind of this order. The more profitable course to pursue will be to take the class of clever native students who correspond to the youths in European schools capable of winning scholarships and of taking distinguished positions among their fellows in general school studies. With regard to such native students there is a considerable body of testimony to show that quite a large proportion ultimately reach a stage at which they seem unable to make any further advance. To all appearance their faculties become dulled, and a state of mental apathy ensues which makes it unprofitable for them to stay longer at school. On these observed facts there is a disposition in some quarters to build up a theory that certain physiological conditions of brain are so different for natives and for Europeans that nearly all the former must in time reach this point of mental saturation beyond which it is useless to expect further progress. As in the history of a race such physiological conditions would almost certainly alter very slowly in any moderate number of generations, this view, if true, would lead to the conclusion that, even under the most favourable conditions, there can be no approach of any native Bantu scholars to the point occupied by most European students who have had the usual school and university education.

Also found among Europeans. — But before accepting the truth of an hypothesis which, as far as I know, rests upon these facts alone, it is incumbent upon us to consider whether the same facts could not equally well be explained through the operation of causes affecting Europeans and natives alike, though in different degrees, and not to any fundamental difference of brain structure. More than once in the course of this report it has been noted that what seem at first to be

new educational problems in connection with the native races are in reality the same problems which have occupied the attention of school reformers in Europe for a great number of generations, but presented in such an exaggerated form that they are not at first recognised.

Is there nothing, then, in the intellectual condition of some among the numerous holders of scholarships in places of higher education in England, especially such as have won their prizes at a very early period in their school career, which at all resembles this state of mental saturation of the native youth? On the contrary, experienced observers, not only headmasters of schools, but observant men of the world, are constantly pointing to cases among us of juvenile prodigies of learning who have never fulfilled the expectations of their tutors, and who in the later stages of their school life, or at the universities, or perhaps even later, exhibit signs of incomplete mental development. Though such cases are not nearly so frequent as among natives, and though the degree of arrest of intellect is certainly different, yet the resemblance appears at first sight to be sufficiently close to make it worth our while to inquire into the causes which are held to be responsible for this result among European boys and girls, and then to ascertain whether the same causes may not be at work with still more deadly effect in the case of natives.

Cause of mental saturation among Europeans.—There is close agreement among most thinkers who are especially concerned with education that the phenomenon of partially arrested mental development, when it occurs in those who at the outset of their school career promised to show brilliant qualities of intellect, is due mainly to a forcing process, popularly called "cramming," which attempts to fill the mind of the young pupil with the results of other persons' experiences without any proportionate appeal to his own experience. Up to a certain point the mind is capable of retaining a hold upon all these statements of truth, and can reproduce them almost unchanged whenever they are needed for examination or other purposes. But with the growth of the number of subjects of study, and the extension of each, the pupil finds himself obliged to make his choice between a vast number of proffered results of other persons' experiences—a number too vast for the human mind to retain them all. At that stage he finds himself in need of an important faculty which can only be sufficiently cultivated through the first-hand acquaintance with facts; namely, the power to arrange and to compare experiences, and to assign them their proportionate value, in order that some may be rejected altogether, while others are grappled and linked together so firmly as ultimately to form part of that disciplined mental equipment which is always at command when new facts are encountered and their true place and value has to be determined. The student who has learned so to deal with his own

experiences can apply the same process to the experiences of others of which he only knows through information derived from tutors or books, or else from intercourse with the persons themselves who have undergone these experiences. His selection of knowledge from all the stores which are thus open to him is not always the best possible, but it forms a part of his own individuality, and can be used with as little effort as his arms or legs, or perhaps even as unconsciously as he uses his very lungs. In corroboration of this view that the total first-hand knowledge must always bear some relation to the total second-hand knowledge which can be made part of a person's real mental equipment, it may be noticed that there is, on the part of thoughtful parents, who intend that their sons and daughters shall receive the most prolonged and highest forms of education, a tendency to postpone the beginnings of formal education, and thus to lengthen the period during which the child is acquiring knowledge almost wholly through its own stock of direct experiences.

On the other hand there are parents who, for one reason or another, are so anxious for the early school successes of their children that they hand them over at the earliest opportunity to tutors or schoolmasters noted chiefly for the number of entrance scholarships or high places in competitive examinations which they have secured for their pupils. Among these not always fortunate prize-winners, taken too soon and too completely out of their own field of experience, will be found the most notable instances of incomplete mental development in after-life.

Similar causes at work among natives.—Now, it is apparent from the previous sections of this report, and perhaps in even a greater degree from my notes in regard to actual visits of inspection to the schools in Basutoland and the Bechuanaland Protectorate, that the teaching there given appears as a rule almost as if specially contrived to substitute second-hand for first-hand experiences. The native language through which alone an appeal can be made to the child's own knowledge is abandoned at the earliest opportunity for the English language. English itself is taught through books which cannot be understood without a knowledge of social conditions altogether beyond the reach of the native child and in most cases of his teacher also. Arithmetic is made as unpractical as possible, and becomes a series of mechanical operations, sometimes incapable of verification in the present economic condition of the native tribes. No advantage is taken of any of the admirable native industries to prepare the child's hand and eye for further manual occupations of a higher order. Thus it is not surprising that, as was noted by my predecessor in the work of inspection of the schools of Basutoland, there should be a frequent entry made by teachers against the names of their former scholars, "Left school, tired."

Others more determined, and perhaps endowed with a greater measure of brain vitality, remain at their lessons, mounting class by class to the consideration of subjects which scarcely bear at all upon the lives that they may reasonably expect to lead, unless indeed they adopt teaching as their profession. And even if they are to be teachers, such a training only enables them to cause their pupils to tread the same purposeless round without any light as to the reasons why this particular school-course should have been selected, except that it is the school-course considered to be most appropriate to European children.

We find then exactly the same causes operating upon native scholars of more than usual intelligence which produce failure in the early promise of mental ability given by some of our own boys and girls; a want of regard for the natural processes by which knowledge is acquired; a tendency to press upon the unfortified mind a mass of mere results which it is incapable of its own motion of placing in relation to other results or of utilising subsequently; in fine, an examination system which encourages the teacher to sacrifice every future quality of learning to mere imitative achievement in the present. The same causes leading to mental atrophy are at work, but they operate in one case with immensely greater force than in the other. For we cannot take the English schoolboy so completely outside his own experience, in a course of studies designed primarily for Europeans, as we can take the Basuto boy, if he be taught according to a scheme of education belonging to an alien civilisation.

Conclusion that minds are of different types not warranted.—Under these conditions the native scholar sometimes furnishes us, before the end of his studies, with a spectacle of mental incapacity for further progress so startling in degree as to seem a new psychological manifestation, needing therefore a new physiological hypothesis to account for it. And the proportion of students affected in this way is also so much larger among natives as further to draw away our attention from the similar phenomenon among our own youth. But if a certain cause produces a certain effect upon one group of human beings, and if the same cause intensified produces a more marked effect of a similar kind upon another group of human beings, it is surely better reasoning to draw the conclusion that the two types are similar to each other in this particular respect than to make an otherwise unverified assumption that the difference of degree in the effect produced rests upon entirely different characteristics belonging to two different types of beings, characteristics which are practically permanent and must for ever separate them from one another. It is not necessary, and I do not intend, to make the positive assertion that there is no such fundamental difference of brain structure as would prevent even the ablest of the Basuto people

from following with profit the highest courses of study of the white man. But until the conditions of their education have been made more reasonable, and until we know also the effect upon the progress of individuals due to the gradual advance in starting-point of the community by which they are surrounded in early life, it would be illogical to maintain that there is any fundamental distinction of brain between the South African native and the European, and unjust to use that hypothesis in order to deny to the former the extension, step by step, of all such opportunities for European culture as he is found to be able to use in a worthy manner.

Movement of public opinion in favour of giving natives greater educational opportunities.—There can be no doubt that of late years colonial opinion has advanced rapidly in the direction of giving to the ablest native students opportunities of higher learning. In none of the South African colonies has this movement lacked support, and the natives themselves, in their own territories as well as elsewhere, are showing their desire for such opportunities for more advanced studies by offers of monetary contributions towards the realisation of any suitable scheme.

Since the proposal for an inter-Colonial Native College was first put forward on the recommendation of the South African Native Affairs Commission a little more than four years ago, the movement has gathered strength until now it seems in the fair way to be accomplished. There will then be a further opportunity to ascertain whether of those native students who have successfully reached the completion of their various courses in the present institutions, and who enter upon extended studies at the proposed college, any large proportion experience the same kind of mental saturation which we have just been considering. If the curriculum and teaching be made too dependent upon the particular succession of University examinations provided for European students and preceding that qualifying for the Bachelor or Master's degree, there is some real danger that a considerable number of students will experience a similar arrest of their faculties. If, on the other hand, these intermediate courses of study are so adjusted as to lead directly to some of the higher careers now open to natives among their own people, and to such subordinate posts, whether administrative or professional, as can properly be entrusted to them in mixed communities, there is much less probability that the students as a whole will fail to complete their college work satisfactorily, or in future generations to gain the highest distinctions which the University has to offer.

Value of research work.—Nevertheless such preparation for the actual business of life is not all that should be expected as the outcome of the most advanced institution in South Africa open to the Bantu races. Unless in one way or another it provide for original research, it will never retain as part of

its tutorial staff some of the best native intellects. Nor will those intellects reach their full limits of expansion, nor accomplish all that they might for the benefit of the whole community. There is, however, a difficulty in making provision for research work in any of the ordinary directions. Until the level of the highest general education for natives has risen to the point of a University degree, those who endeavour to do original work in any of the usual subjects of study are placed in a difficult position as compared with European students. They are without the full equipment of knowledge necessary to start them upon their own independent path. They have not the ordinary means of knowing whether the tracts they propose to survey have, or have not, been explored before.

Its nature and effect upon the minds of natives.—Accordingly if research work of a satisfactory kind is to be accomplished by natives in the proposed college, it must for a long time to come be undertaken in some branch of study of which they have first-hand experience denied in the same measure to European workers. Fortunately there is such a subject of study, and one of the greatest importance to the whole South African community, namely, the sociology of the Bantu tribes south of the Zambesi. Their history, their customary law, their tribal and family observances, their folk-tales, as well as the industries, the medicinal knowledge, and the characteristic modes of progress towards civilisation of these tribes have never yet been investigated with the fulness that they deserve. Upon a thorough knowledge of their actual social condition it is alone possible to base any complete and scientific scheme of education for the native people. To get rid of so much that is unreal in the school-work of all grades it is necessary to use everything that is best in their traditional and present-day experience. But the value of this study does not end with its influence upon school life. On the contrary the right means of developing native customary law and native industrial occupations to meet the social and economic demands of South Africa as a whole is a matter calling for original study, and requiring the co-operation of both native and European elements upon the tutorial staff of the college. Any genuine addition to our knowledge in these respects could not but result ultimately in greater abundance of native labour for European industries and in the steadiness and intelligence of the labourer himself.

It is not, however, principally on the economic side of the value of such research that I wish to dwell at this moment. Of even greater importance would be its effect in giving a sense of responsibility in their studies to individual leaders of native thought. They would come to feel that here was ground on which their co-operation with European students was essential if the social development of the Bantu tribes is

ever to be directed along such wise lines as will secure harmonious and easily comprehended relations with the white races in South Africa. And further, they would have the satisfaction, which must always rank highest among the honourable rewards of a student's life, that they had themselves done something to enlarge the bounds of human knowledge in one particular direction.

Section X.—Educational Limits of the Tribe.

Tribal and individual civilisation distinguished.—In the first part of my report it was pointed out that the progress in civilisation possible to individual natives, and to the tribe as a whole, must be carefully distinguished. It is desirable to recall the results there indicated (Part I., App. 2) in regard to the arrangement of the individuals of any community about those who may be taken to represent its average civilisation, and perhaps this may now be done in a somewhat less mathematical form.

Given that a numerical value can be assigned to the amount of civilisation of each individual, the average for the community is readily determined. For Europeans this average is, of course, far higher than for natives of the South African type. But this fact does not settle the question of the average rate of advance of such tribal natives compared with the similar rate among European nations, or afford any indication of whether they are, or are not, drawing closer to us in civilisation. Nor does it tell us anything as to the distribution of individual natives about the average point in civilisation which their tribe has reached. It is clear that though a particular individual may belong to a community with a lower average civilisation, he may himself be more civilised than another individual belonging to a second community with a higher average.

Grouping of tribe.—The rate of advance of a whole people seems to depend in a marked degree upon the state of civilisation of those individuals, forming an appreciable fraction of the whole, who occupy the highest place in the community in this respect. Whether we place this fraction at a quarter or an eighth or any lesser value is not material to the present argument. For the distribution of the population about the average in regard to any measurable quality, such as we here assume civilisation to be, is distinguished by a remarkable property which may thus be stated. If the numerical average of the whole community in respect of any measurable quantity has been ascertained, and if the corresponding average of the upper half of the same community is also ascertainable, a table can be constructed which enables us to say what is the average of the highest quarter, eighth, or any smaller fraction; provided always that we are dealing with numbers sufficiently large to allow the ordinary laws of probability to take effect.

We need, therefore, only fix our attention upon the amount by which the average civilisation of the upper half of any community exceeds the average of the whole; a quantity which for shortness may be called the average excess of civilisation. The excess of all other fractions of the population can then be calculated.

Now though we have not the means of finding out what is the average excess of civilisation in regard to any particular community, yet all our knowledge of tribal as compared with higher forms of society indicates that this average excess is much less in the tribal state than in our own (Part II., Section V.). In other words the average individual of the upper half of the tribe is not so highly differentiated from the average individual of the whole tribe as among nations of the European type. Accordingly, whatever fraction of the population may be considered as possessing the chief power to drag forward the whole body—acting, in part, through new commercial methods and increased technical skill, in part through scholarly research and the development of social and religious truths—that fraction has less power in the tribal state than with us. It has less power because its degree of extension beyond the average position is not so great. The method of progression here indicated may almost be said to be worm-like, the effect of existing laws, popular schools, and other means of education being to communicate the motion of the foremost part to the whole body.

If, on the contrary, we regard the hinder part of the community, there is a similar difference of extension to the rear, so that under the conditions of European civilisation there may actually be a small fraction of the community in a less civilised state than the same fraction of the tribal community. In the more mathematical treatment of the subject in Part II. of this report, I have pointed out that this fraction, if it exists, will be determined by the point at which the "probability" curves intersect one another.

This treatment of the question, according to the doctrine of probabilities, enables us to express our ideas more clearly and to indicate certain definite results. In the first place, apart from any physiological cause setting a limit to the development of the minds of natives (a cause which was considered in the last section to be of doubtful existence), we may expect to find a very few individual natives rivalling Europeans in their capacity for understanding and furthering the higher developments of civilisation. We also conclude that they must constitute a much smaller percentage of the population than the corresponding group among Europeans, both on account of the lower average civilisation of the tribe, and the much closer grouping of natives about the mean position. And lastly, it is evident that this closer grouping of tribal society, while giving its forward part less power to affect the motion of the

whole, has an opposite tendency in regard to the hinder part, since this portion of the body acts as less of a drag upon the rest of the body than with us. Any advance of a particular South African tribe is therefore likely to be more nearly simultaneous than is the case in regard to a community of the European type.

Conditions of tribal advance.—But this conclusion by no means settles the question whether the advance will be more rapid in one case than the other. We have to take into consideration more than the mere social structure of a community. Tribal natives enjoy many of the results of the most recent discoveries which make for progress. The use of the bicycle, the sewing-machine, the watch, the telegraph, the railway, and the modern printing-press is now quite common, and enables them to advance in certain directions faster than our own ancestors. But the qualities which were called forth in discovering and adapting the scientific truths which have led to the invention of these instruments of civilisation have probably done more to assist the capacity for progress of the European races than the instruments themselves. Even war, and the cruelties incident to our own religious and political struggles of the past, though they have temporarily retarded economic progress, have given peculiar force of character to the races which have experienced them, and have assisted in a marked degree to produce the change of social structure demanded by new economic conditions. Before the era of British supremacy, war of a defensive character had undoubtedly been one of the chief factors in strengthening the character and consolidating the organisation of the Basuto people.

Under European administrators the more violent methods of recasting, or of suddenly developing, the social system which have accompanied our own progress, are denied to the native races of South Africa. It depends largely on the degree in which we can find peaceful substitutes for such agents of destruction and reconstruction whether the rate of advance of the primitive tribal societies committed to our care becomes greater or less than our own. The three chief instruments at our disposal to develop the character of individuals, and to shape native society as a whole for the higher economic conditions which are pressing upon them from all sides, are the Christian religion, the schools established in close connection with that religion, and the law. Unless we can contrive to make these instruments act in concert, each will fail to produce its full effect. A second condition of their efficacious action is that they must not only be in the hands of Europeans, working for the benefit of the Bantu people, but that the most advanced and active individuals belonging to those tribal societies should have assigned to them their proper share in the work.

Law as an instrument of education.—Enough has been said about the action of the schools and the missionary societies. But it may not be out of place to indicate in conclusion the educative effect of the third instrument at our command; namely, the system of law which we apply to the native territories. In the first part of my report I laid stress upon the intimate connection between law and education, and I concluded that just as law was one of the chief factors in determining a system of education, so was education one of the chief factors in producing a change in law. I passed in review the different amount of recognition given to customary native law by the various South African Governments at different periods in the history of the respective colonies and independent States. The means by which change of native law was brought about in each of these communities by education and other agencies was also discussed; and the extent to which there existed constitutional channels for the expression of native wishes in regard to such changes. It is unnecessary here to recapitulate all the conclusions which were arrived at in that report, or to indicate the documentary evidence on which the conclusions rested. In respect of the constitutional facilities given for the influence of native opinion upon law and local administrative action, it was found that Cape Colony and Basutoland were far ahead of the other South African communities. Actual observation of the characteristics of the Basuto people, and of the results upon their economic condition produced by the regulations under which they are governed, only confirms me in these conclusions as far as that territory is concerned. The difference in the actual progress made by them, as compared with the Bechuana tribes, is markedly great. But even more marked is the power shown by their foremost men of dealing with new social and economic conditions as they arise. In contrasting the two races we are led to the conclusion that school education is not capable of producing its full effect upon natives unless we give them in later life some opportunity of shaping their own destinies as a community. In cases in which the laws that determine the government of large bodies of natives are continually being altered, without sufficient reference to the persons affected, the results of school education conducted on European lines may even become a positive danger to the State. Danger also is to be apprehended when, on the contrary, native law, having been ascertained by European officials with the most scrupulous care, is thereupon embodied in a written code which makes no provision for such natural changes in custom as education necessarily tends to bring about. Under conditions which deny to natives all initiative in regard to the reform of their own laws, the popular interest in the schools speedily diminishes, and the rapidity of advance of the community as a whole receives a severe check.

Even more fatal to progress is neglect to provide minor administrative duties for those natives whose intelligence and character have both been sufficiently strengthened through their school education. Each government camp and mission station supplies an area in which some devolution of authority is possible, and some alterations of law and custom can be established such as may indicate the way to bring native law nearer to the paramount law of the British administration. These are the areas in which the tribal constitution of society will necessarily first undergo modification, and the fact that they are very limited in extent should cause the change to come with greater ease and rapidity. Each Assistant Commissioner in his own camp has in point of fact a school for adults of the most effective kind, in which he can assist new methods of cultivation and develop new industries, and in which without much difficulty he can associate the native population with the conduct of minor local affairs.

Devolution of responsibility necessary for advance.—In Basutoland the value of the principle of devolution has already been recognised for a long time. The schools of the Paris Mission are staffed with native teachers who are themselves Basutos, and who have in many cases been trained at Morija. Even in the preparatory classes for the Normal School itself there are no European teachers; these are reserved for the instruction of such native students as are actually passing through the course for their teachers' certificate. Thus, what with a native staff occupying almost every position in their school system, and what with native ministers soon to be a majority upon the highest Church council, the Paris Mission is fearlessly handing over much of her responsibility to the native church. She has her reward in the marked vitality of her whole organisation.

The government, too, has cautiously introduced natives into administrative positions of minor importance, and there are other posts which may possibly fall to them in time, as, for instance, one or two assistant inspectorships of schools. But as indicated in my first report, it is not only upon the executive side that the administration has perceived the advantages which follow when natives are allowed to exercise subsidiary forms of self-government. Under the Basutoland Regulations the judicial powers of chiefs are recognised both in their administration of native law in their own courts, and in their right to sit as assessors to the Assistant Commissioners and to the Resident Commissioner himself in cases of appeal. Finally the native law itself is prevented from becoming stereotyped by the creation of a Native Council which in reality has subordinate legislative functions, though its acts have not hitherto been formally recognised by the Imperial Government.

It is significant that in the first few sessions of this Council, one of the chief occupations of members has been to revise the

so-called "Laws of Moshesh," a body of customary native law which was still left in its unwritten form except in the case of certain laws which the Council considered ought to be amended without delay. As these changes have not been disallowed either by the local or by the Imperial Government, they may be taken to be approved. Thus in a less authoritative fashion than by proclamation, but with equally binding effect upon the tribe, their subsidiary unwritten law is undergoing transformation at the hands of a native assembly which, though not elective, and only having advisory relations to its President the Resident Commissioner, does in point of fact enable tribal opinion as a whole to produce alterations in recognised native custom.

The effect of such a real devolution of responsibility upon natives themselves, taken in conjunction with their early history, has had a noticeable effect upon the Basuto people. They have the courage to think and to plan for themselves, and they have the political instinct which is always prepared for compromise, where compromise does not interfere with fundamental principles of statesmanship. In the conduct of the schools the effect of this spontaneity of temperament, and readiness to assume responsibility, is already noticeable, and will become more and more marked as time goes on. On one occasion I was invited to meet all the European missionaries belonging to the Paris Mission, and at their request I indicated several of the matters in which it appeared to me that the school-system stood most urgently in need of reform. Some of my suggestions were received sympathetically, but others, involving considerable changes in the school curriculum, especially in the direction of giving more manual occupations, were not discussed with any eagerness. One of the shrewdest and most experienced of the missionaries present begged me not to be disappointed, and added that if the same views had been advocated when their native colleagues were present, they would probably have had quite a different reception. This proved to be the case, for when the subject was brought up again at the Vacation Course of lectures at Maseru, it excited considerable interest among the native ministers and teachers who were present, and several teachers of their own accord, and without any financial help from the missionaries or government, began to try experiments in this direction as soon as they returned to their schools.

If sufficient encouragement, therefore, is given to the native element of opinion to express itself in regard to the school-course, and if sufficient account is taken of the experiments which native teachers are themselves making all the while (experiments which they will not press upon the attention of Europeans unless they feel that this, the most original part of their work, is the part most interesting to the inspector or other visitor), there is little fear but that the curriculum and

the methods of teaching will ultimately be adapted to native needs in a far more satisfactory manner than at present.

Advance probably slower than for Europeans.—The influence of the Government, the influence of the first established and largest of the missions in the territory, and the still living influence of the greatest of their chiefs, have thus conspired to give the Basutos an unequalled chance among the native communities of South Africa; a chance, that is, of advancing as a tribe and not by the mere Europeanising of individuals. For them the educational limits are probably wider than for any other native tribe. Yet, however substantial their progress may be, it is not at all clear that at present they are liminishing the interval in civilisation which separates them from the rapidly advancing European communities of South Africa. In the case of the Bechuana tribes, taken as a whole, there cannot be much doubt but that the distance tends to increase year by year, and that all our own efforts, and all the efforts of the native population themselves, will be required to prevent them from becoming in the future more of a retarding force than they are at the present day. To a united nation, pursuing a consistent and enlightened policy towards the native races, we can alone look for any adequate treatment of that most perplexing of all South African problems—namely, the education and uplifting of the indigenous Bantu population.

COLONIAL REPORTS.

The following recent reports relating to His Majesty's Colonial Possessions have been issued, and may be obtained from the sources indicated on the title page :—

ANNUAL.

	Colony &c.	Year.
528	Bermuda	1906
529	Gibraltar	„
530	Northern Territories of the Gold Coast	„
531	Sierra Leone	„
532	Colonial Survey Committee	1906–1907
533	Weihaiwei	1906
534	Gold Coast	„
535	Malta	1906–1907
536	Gambia	1906
537	British Central Africa Protectorate	1906–1907
538	Bechuanaland Protectorate	„
539	Leeward Islands	„
540	Straits Settlements	1906
541	Turks and Caicos Islands	„
542	Somaliland Protectorate	1906–1907
543	Bahamas	„
544	Barbados	„
545	Trinidad and Tobago	„
546	Grenada	„
547	Mauritius	1906
548	Fiji	„
549	Jamaica	1906–1907
550	British Guiana	„
551	Northern Nigeria	„
552	British Honduras	1906
553	St. Lucia	1906–1907
554	Southern Nigeria	1906
555	St. Vincent	1906–1907
556	Basutoland	„
557	East Africa Protectorate	„
558	Uganda Protectorate	„
559	Swaziland	„
560	St. Helena	1907

MISCELLANEOUS.

	Colony, &c.	Subject.
44	East Africa Protectorate ...	Survey Department.
45	Do. do. ...	Geology.
46	Northern Nigeria	Mineral Survey, 1904–5.
47	Do. do.	Do. 1905–6.
48	Nyasaland Protectorate ...	Do.
49	East Africa Protectorate ...	Veterinary Department.
50	British Colonies	Cultivation of Cotton.
51	Southern Nigeria	Forest Administration.

COLONIAL REPORTS—MISCELLANEOUS.

No. 54.

NEWFOUNDLAND.

REPORT BY THE GOVERNOR ON A VISIT TO THE MICMAC INDIANS AT BAY D'ESPOIR.

Presented to both Houses of Parliament by Command of His Majesty.

September, 1908.

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No. 54.

NEWFOUNDLAND.

REPORT BY THE GOVERNOR ON A VISIT TO THE MICMAC INDIANS AT BAY D'ESPOIR.

THE GOVERNOR TO THE SECRETARY OF STATE.

Government House,
St. John's,
8th July, 1908.

MY LORD,

I HAVE the honour to inform you that I left St. John's on the 28th May to visit the settlement of the Micmac Indians at Bay d'Espoir, on the south coast of this Island.

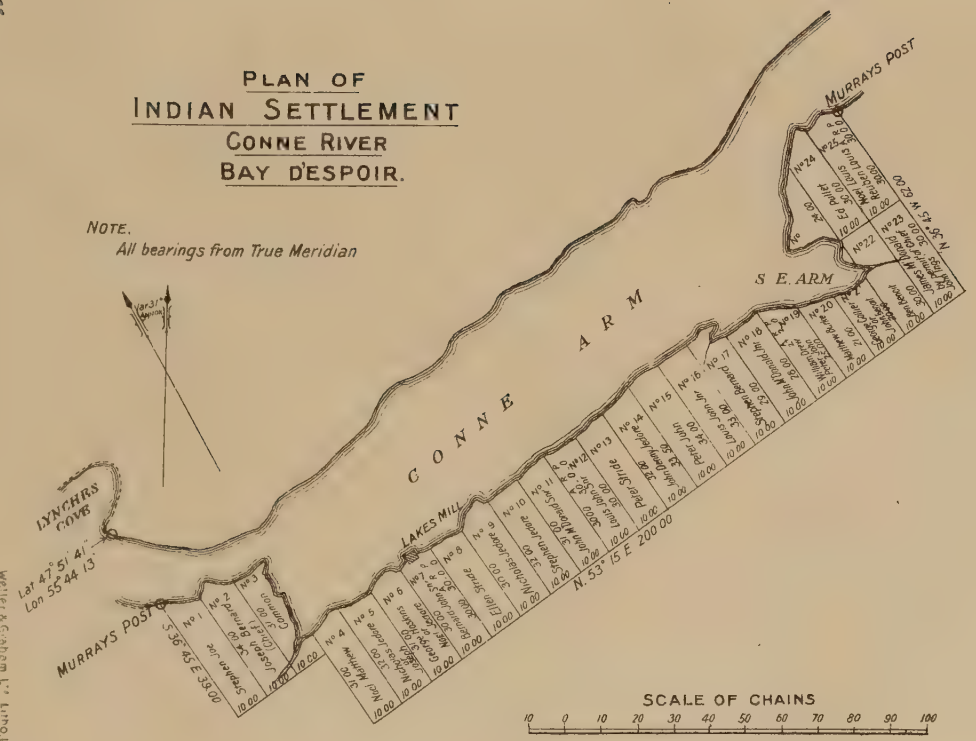
Bay d'Espoir is a long inlet of the sea, extending up country over a score of miles. The district is hilly, and is covered by a forest of rather small trees, spruce and birch, but further inland the hills are generally bare. There are comparatively few European residents in this bay.

2. The Micmac settlement is on a reservation situated on the eastern side of the Conne arm of the bay, with a frontage to the water of 230 chains, with an average depth of about 30 chains. It is on the slope of a wooded hill which is generally steep down to the sea, and at most places hard and rocky, covered by spruce forest. Most of the Micmac houses are on an area of about a quarter of a mile, where the ground is least steep and most suitable for building and gardening. In Appendix I. hereto is given a list of the 23 families, consisting of 131 persons, now living on or near the Reservation; and of the 7 persons that have left it for Glenwood in this Colony. Two years ago three families left the Reservation to settle at Lewisport, and have not returned.

3. The Reservation, it appears, was laid off for the Micmacs about 1872, by Mr. Murray, Geological Surveyor of the Colony. It contained 24 blocks of about 30 acres each, with a water frontage of 10 chains. From the copy of the plan of the Reservation enclosed herewith it will be noticed that each parcel was to form the subject of a personal grant to the individual whose name is on the allotment. The right then conferred was in each case a "licence to occupy," of which I

PLAN OF
INDIAN SETTLEMENT
CONNE RIVER
BAY D'ESPOIR.

NOTE.
All bearings from True Meridian


CONNE ARM
S E. ARM
MURRAYS POST
LYNCHES COVE
Lat 47° 51' 41"
Lon 55° 44 13
LAKES MILL
N. 36° 45' E 33.00
N. 53° 15 E 200.00
N. 36° 45 W 62.00
SCALE OF CHAINS
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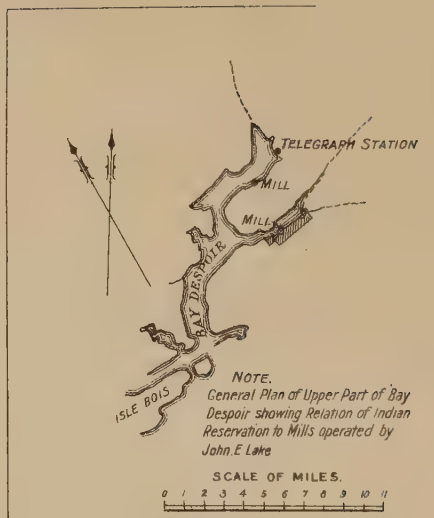

NOTE.
General Plan of Upper Part of Bay Despoir showing Relation of Indian Reservation to Mills operated by John E Lake

Weller & Graham Lith. London

enclose a copy in blank form. The licence, it will be observed, would, on the fulfilment of certain conditions, have been replaced by a grant in fee, after five years. In few cases, if in any, have the terms of the licence been complied with, and no grant in fee or other title has been issued to any of the occupants on this Reservation.

4. These Micmacs are hunters and trappers, and are ignorant alike of agriculture, of seamanship, and of fishing. There are not more than three or four acres of cultivated land in the whole settlement. The greatest cultivator would not grow in one year more than three or four barrels of potatoes and a few heads of cabbage. There are two miserable cows in the place, and some of the least poor Micmacs possess three or four extremely wretched sheep. They have practically no fowls, but I saw one fowl and a tame wild goose. Their houses are small and inferior, of sawn timber, but have windows of glass. A few hundred yards of road, constructed at the expense of the Government, traverses the end of the settlement where most of the people reside.

5. The community is Roman Catholic, and they have a small church, decently well built and kept, on the best site on the Reservation. It is built of sawn timber and would contain nearly one hundred people, which is too small for the festival of St. Anne, the patroness of the congregation. Over the entrance to the church there is printed in large characters, in the Micmac language, a total prohibition against spitting in church.

The cemetery immediately adjoins the church, and there they bury their dead as members of a single family.

They have had a small school open since the 17th January last. It is a wooden room, about 12 feet by 15 feet, by no means new, with a small stove and two little windows.

The teacher is a woman of partly Micmac origin. She receives some very small allowance from the parish priest, and a few of the children, she says, pay some small fees. There are 34 children on the roll, and the winter attendance was from 25 to 30. They are divided into three classes, the highest of which could read slowly, in English, words of three or four letters. About half of them could write a little, a few of them surprisingly well on such brief tuition. The teacher says they are very amenable to discipline. Seldom has a school been started under greater difficulties than this Micmac institution. I was able sincerely to congratulate the teacher on what she has been able to accomplish under such unfavourable circumstances. It is manifest that the children are bright and clever, and that they would become useful and intelligent citizens if they had ordinary educational advantages. In this probably lies the best hope of a future prospect for this community. The settlement is visited now once a month by the

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parish priest; and in his absence, one of themselves, Stephen Jeddore, reads the service on Sunday. Last year they were visited by the Right Reverend Bishop McNeil.

6. They appear to be a comparatively healthy people. So far as known, no one is at present affected by tuberculosis in any form. I saw one woman of ninety years of age, Sarah Aseleka, perhaps the only Micmac of pure blood in the settlement. She was born at Bay St. George, and came to Bay d'Espoir some three score of years ago when the Micmacs first settled in this bay. The next oldest person is John Bernard, who is about eighty. Few of them were even fairly well clothed; the majority were in rags. A few wore home-made deer-skin boots, but most of them had purchased ready-made boots or shoes. They make deer-skin boots by scraping caribou skin, and tanning it in a decoction of spruce bark. Such boots are, they state, worn through in a few days. The women can spin wool, and knit stockings. Their food consists chiefly of flour, a few potatoes, some cabbage, and perhaps about half a score of caribou a year for each family, hung up on trees and thus frozen during the winter. They also smoke fish, principally freshwater fish, and obtain a few grouse and hares, but this small game has almost disappeared from the district. They have to go inland a score of miles to obtain caribou for food.

The men are of good size, and strongly built, but clearly of mixed descent, many being nearly like Europeans. The children have all, without exception, very dark, soft eyes, straight black hair, and the nose much more prominent than in the Esquimaux of Labrador.

7. The principal Chief is Olibia, but I unfortunately did not meet him. He had gone out in March to his trapping ground near Mount Sylvester, but could not then reach his traps on account of the unusually great quantity of snow, and he had returned thither at the time of my visit.

I was informed that he was selected as Chief by the Micmacs of the Reservation, and was appointed by the principal Micmac Chief at St. Anne's, Nova Scotia, and by the priest. I was shown the insignia of office worn on ceremonial occasions by the Chief. It consists of a gold medallion with a chain attached, the whole in a case covered by red velvet. The medallion is inscribed "Presented to the Chief of the Micmacs Indians of Newfoundland," but with neither name nor date. The community paid for this badge of office forty-eight dollars.

The second chief is Geodol—called in English Noel Jeddore—who represented Olibia in his absence. Geodol is the owner of one of the two cows on the Reservation, and his brother possesses the second one. The Chieftainship is not hereditary, but is conferred, when a vacancy occurs, on the man the people prefer. They are easy to govern and seldom quarrel. They have no intoxicating liquor and seldom obtain any. They pay 60 to 70 cents a pound for their tobacco, 20 to 30 cents

for gunpowder, and 10 cents for shot. They sell their fur locally where they make their small family purchases.

8. The head of each family has his own special trapping ground in the interior, over which others may travel, fish, or shoot, but not trap. For example Geodol, the second chief, traps about Gulp Lake; Olibia, the chief, about Mount Sylvester; Nicholas Jeddore about Burnt Hill; George Jeddore at Bare Hill and Middle Ridge; Stephen Jeddore at Scaffold Hill; Noel Matthews at Great Burnt Lake; &c.

None go as far north as the railway, but Meiklejohn goes as far as John's Pond. Europeans are encroaching on their trapping lands, but do not go far inland. This pushes the Micmacs further inland to get away from the Europeans. They claim no fishing rights at sea, and say frankly they are only trappers and guides.

They go inland in September, when their first care is to shoot a deer and smoke the flesh as food. They return home from the 20th to the 25th November to prepare their traps for fox, lynx, otter, and bear. In December they shoot, as winter food for the family, does and young stags, but not old stags. They say the arctic hare is now very rare on their trapping lands; and snipe, geese, and ducks are far fewer than they were a few years ago. They appear to be very careful not to waste venison, never killing any deer they do not actually require and use as food.

9. It is not possible to regard the present condition and the prospects of this settlement of Micmacs as being bright. Game, their principal food, is manifestly becoming more difficult to procure; their trapping lands are being encroached upon by Europeans; they are not seamen; they are not fishermen; and they do not understand agriculture. In the middle of their Reservation a saw-mill has been in operation some years, apparently on the allotment of Bernard John, but without his sanction or permission, and, it seems, in spite of the protests of the community. None of the Micmacs work at this mill. Formerly they cut logs for it, but the trees that grew near the water have, they say, all been used up and there are none left within their reach that they could bring to the water. The saw-mill is thus an eyesore to them, as it is on what they regard as their land, and in defiance of them.

Although they have not complied with the conditions set forth on the form of licence, which would have entitled them to a grant in fee, yet their occupation has extended over so many years that there is no probability whatever that the Government of Newfoundland would withhold from them grants, as a matter of grace, if they only applied for them and could show how they could use the land. It would not be difficult to find a location for the community that would be more suitable for them so far as cultivation is concerned, and be equally good

for hunting and trapping. With some aid, such as supplies of seed potatoes and a few animals, they could no doubt derive much greater resources than at present from agriculture, especially if to that were added a good school for the young.

The question of their trapping lands will have to be dealt with before long. Each man regards his rights to his trapping area as unimpeachable. They are recognised at present among themselves, but they have no official sanction for their trapping lands either as a community or as individuals, just as they have no official title to the Reservation.

I was accompanied on this visit by the Honourable Eli Dawe, Minister of Marine and Fisheries, who, as a member of the Government, will himself take an interest in the settlement, and call the attention of his colleagues to the condition of the Micmacs. I was also assisted by Mr. James Howley, who has been on friendly terms with these people for many years. I enclose photographs* of some of the Micmacs, taken by Mr. Howley during this visit.

10. The Micmacs are held by ethnologists to be a branch of the Algonquins, who inhabited Maine, New Brunswick, and Nova Scotia. It was from the last-named province that they extended to Newfoundland, apparently not much more than a century ago. The fact that they did not effect a lodgment on Newfoundland sooner may be at least partly accounted for by supposing that the Beothuks, the aboriginal natives of Newfoundland, were able to defend themselves and their country from the Micmacs so long as both sides were unprovided with firearms, and until the Beothuks were nearly destroyed by their French and English aggressors.

A sufficiently accurate view of the arrival and early doings of the Micmacs in Newfoundland may be had from the brief extracts from official records enclosed herewith. Governor Duckworth reports in 1809 that the Micmacs were coming over, and that the Beothuks were keeping to the interior in dread of them. The Governor followed up this Report next year (1810) by a Proclamation to the Micmacs and other American Indians frequenting Newfoundland, warning them that any person that murdered a native Indian (Beothuk) would be punished with death. Unfortunately this Proclamation it would appear had no restraining effect, as Governor Keats reports to the Secretary of State in 1815 that the Micmacs had recently come over from Nova Scotia in greater numbers, and had reached the eastern coast of Newfoundland; and he expressed the fear that these newcomers would destroy the native Indians of the Island, whose arms were the bow and arrow.

The Micmacs, it appears, have always possessed firearms since they arrived in Newfoundland. On the other hand I have never heard of a single instance in which the native Beothuks ever obtained such a weapon. The fears of Governor Keats were therefore only too well founded. The unfortunate

* Not reproduced.

Beothuk was thus crushed out of existence by the white man and the invading Micmac. Between the white man and the Beothuk there was always hostility; and I have not heard of any family or person in Newfoundland in whose veins flows Beothuk blood. On the other hand it may be doubted whether there is a single pure-blooded Micmac on the Island to-day. As an ethnic unit the Micmac can therefore hardly be said to exist here.

At the same time the Micmac community, such as it is, will not, at least for several generations, be absorbed into the European population of Newfoundland. It is at present a separate entity, and as such clearly requires special attention and treatment at the hands of the Administration, for the Reservation families have claims on Newfoundland by right of a century of Micmac occupation, and by virtue of the European blood that probably each one of them has inherited.

I have, &c.,
WM. MACGREGOR.

The Right Honourable
The Earl of Crewe, K.G.,
&c., &c., &c.

APPENDIX I.

MICMACS AT CONNE SETTLEMENT, 29th May, 1908.

Head of Family.	Family.	Condition of Members of Family.
Stephen Joe	5	Self, wife, 3 children.
Stephen Bernard	5	Self, mother, 3 children.
Noel Matthew	13	Self, wife, 11 children.
Nicholas Jeddore	5	Self, wife, 3 children.
Noel Jeddore	9	Self, wife, 7 children.
Bernard John	2	Self, wife.
John	5	Self, sister, 3 brothers.
Joseph Jeddore	3	Self, wife, 1 brother.
Stephen Jeddore	7	Self, wife, 5 children.
John McDonald, Sr.	2	Self, wife.
John D. Jeddore	2	Self, wife.
John McDonald, Jr.	7	Self, wife, 5 children.
William Drew	4	Self, wife, 2 children.
Matthew Burke	4	Self, wife, 2 children.
John Benoit	9	Self, wife, 7 children.
Ben Benoit	12	Self, wife, 10 children.
John Juks...	7	Self, 6 children.
Edward Pullett	4	Self, wife, 2 children.
Reuben Louis	2	Self, sister.
Thomas McDonald	8	Self, wife, 6 children.
Peter Joe	5	Self, wife, 3 children.
John Martin	3	Self, wife, 1 child.

Total Micmacs on the Reservation, 123.

Living off the Reservation were—

Head of Family.	Family.	Condition of Members of Family.
William McDonald	8	Self, wife, 6 children.
Gone to Glenwood.		
Lewis John	5	Self, wife, 3 children.
Peter John	1	Self.
Louis John	1	Self.

Totals.

Living on the Reservation	123
Living near the Reservation	8
Gone from the Reservation to Glenwood	7
Total	138

APPENDIX II.

NEWFOUNDLAND. *No.*

To all to whom these Presents shall come, I, ANTHONY MUSGRAVE, *Esquire, Governor and Commander-in-Chief in and over the Island of Newfoundland and its Dependencies, &c., &c.*

SEND GREETING:

WHEREAS

of desirous of permanently settling on the Land hereinafter mentioned: KNOW YE, that in pursuance of the power and authority vested in me by the Act of the Legislature of this Colony, passed in the 23rd year of the Reign of Her present Majesty, entitled "An Act to amend an Act passed in the Seventh year of Her Majesty's Reign, entitled 'An Act to make provision for the Disposal and Sale of ungranted and unoccupied Crown Lands, within the Island of Newfoundland and its Dependencies, and for other purposes";' I, the said Governor, do hereby give to the said a License to Occupy all that Piece or Parcel of Land situate and being

To Have and to Hold the same, with all rights and all privileges thereto belonging, to the said Executors, Administrators and Assigns, for the term of Five Years from the date of these Presents: Provided always that if the said shall have settled on and occupied the said Land for the said term of Five Years, and have cultivated acres thereof, within the said term, and have conformed to the provisions of said Act, shall be entitled to a Grant in fee, under the Great Seal, for the said Land; but should he fail to comply with the conditions of this License and conform to the said Act, he shall forfeit all claim to the said Land and Grant aforesaid.

Given under my Hand and Seal at St. John's, in Our Island of Newfoundland, this day of Anno Domini One Thousand Eight Hundred and

By His Excellency's Command,

Colonial Secretary.

APPENDIX III.

"Antelope" at Spithead.
25th November, 1809.

. . . . . .

I AM sorry to inform Your Lordship that I am again disappointed in my hopes of coming at the Native Indians (Beothuks); they still keep in the interior of the Island (it is reported) from a dread of the Micmacs, who come over from Cape Breton. The articles that were purchased for them are deposited in the Naval Store House at St. John's, where I have directed them to be kept for some future trial of meeting with them.

. . . . . .

THE GOVERNOR'S ADDRESS TO THE MICMACS, &C.

His Excellency, Sir John Thomas Duckworth, K.B., Vice-Admiral of the Red, Governor and Commander-in Chief in and over the Island of Newfoundland, &c.

To the Micmacs, the Esquimaux, and other American Indians frequenting the said Island, Greeting:

WHEREAS it is the gracious pleasure of His Majesty the King, my master, that all kindness should be shewn to you in his Island of Newfoundland, and that all persons of all nations at friendship with him should be considered in this respect as his own subjects, and equally claiming his protection while they are within his Dominions: This is to greet you in His Majesty's name and to entreat you to live in harmony with each other, and to consider all his subjects and all persons inhabiting in his Dominions as your brothers, always ready to do you service, to redress your grievances, and to relieve you in your distress. In the same light also are you to consider the native Indians of this Island; they too are, equally with ourselves, under the protection of our King, and therefore equally entitled to your friendship. You are entreated to behave to them on all occasions as you would do to ourselves. You know that we are your friends, and as they too are our friends, we beg you to be at peace with each other. And withal, you are hereby warned that the safety of these Indians is so precious to His Majesty, who is always the support of the feeble, that if one of ourselves were to do them wrong he would be punished as certainly and as severely as if the injury had been done to the greatest among his own people, and he who dared to murder any one of them would be severely punished with death; your own safety is in the same manner provided for; see therefore that you do no injury to them. If an Englishman were known to murder the poorest and the meanest of your Indians, his death would be the punishment of his crime. Do you not therefore deprive any one of our friends, the native Indians, of his life, or it will be answered with the life of him who has been guilty of murder.

Fort Townshend, St. John's, Newfoundland,
1st August, 1810.

J. T. DUCKWORTH.

Extract from Despatch from Governor Sir R. G. Keats to the Secretary of State, 10th November, 1815.

Some years ago the Micmac Indians formed a settlement in St. George's Bay on the West Coast of Newfoundland, which is thriving and industrious. The success of this settlement has probably induced others to follow them, and latterly they have come over in more considerable numbers, penetrated into the country and shewn themselves the present season on the eastern coast of Newfoundland. It is to be feared the arrival of these new comers will prove fatal to the native Indians of the Island, whose arms are the bow, with whom their tribe as well as the Esquimaux are at war, and whose number it is believed has for some years past not exceeded a few hundred.

10th November, 1815.

COLONIAL REPORTS.

The following recent reports relating to His Majesty's Colonial Possessions have been issued, and may be obtained from the sources indicated on the title page:—

ANNUAL.

No.	Colony, &c.	Year.
541	Turks and Caicos Islands	1906
542	Somaliland Protectorate	1906–1907
543	Bahamas...	„
544	Barbados	„
545	Trinidad and Tobago	„
546	Grenada	„
547	Mauritius	1906
548	Fiji	„
549	Jamaica	1906–1907
550	British Guiana	„
551	Northern Nigeria	„
552	British Honduras	1906
553	St. Lucia	1906–1907
554	Southern Nigeria	1906
555	St. Vincent	1906–1907
556	Basutoland	„
557	East Africa Protectorate	„
558	Uganda Protectorate	„
559	Swaziland	„
560	St. Helena	1907
561	Ceylon	„
562	Falkland Islands	„
563	Gibraltar...	„
564	Ashanti	„
565	Colonial Survey Committee	1907–1908
566	Northern Territories of the Gold Coast	1907
567	Seychelles	„
568	Bermuda	„
569	Weihaiwei	„
570	Hong Kong	„
571	Malta	1907–1908
572	British Honduras	1907
573	Gold Coast	„

MISCELLANEOUS.

No.	Colony, &c.	Subject.
45	East Africa Protectorate ...	Geology.
46	Northern Nigeria	Mineral Survey (1904–5)
47	Do. do.	Do. (1905–6).
48	Nyasaland Protectorate ...	Do. (1906–7).
49	East Africa Protectorate ...	Veterinary Department.
50	British Colonies, &c. ...	Cotton Cultivation.
51	Southern Nigeria	Forest Administration.
52	South Africa...	Native Education.
53	East Africa Protectorate ...	Veterinary Bacteriological Work, 1907–08.

COLONIAL REPORTS—MISCELLANEOUS.

No. 46.

NORTHERN NIGERIA.

SECOND REPORT ON THE RESULTS OF THE MINERAL SURVEY, 1904–5,

(No. II. of Series),

BY

PROFESSOR WYNDHAM R. DUNSTAN, M.A., LL.D., F.R.S.,
DIRECTOR OF THE IMPERIAL INSTITUTE.

(For Previous Report, *see* No. 32.)

Presented to Parliament by Command of His Majesty.
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No. 46.

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PROFESSOR WYNDHAM R. DUNSTAN, M.A., LL.D., F.R.S.,
DIRECTOR OF THE IMPERIAL INSTITUTE.

(No. II. of Series.)

In a previous report (Cd. 2875 of 1906) a short account was given of the organisation of this Survey, the field work accomplished by the Surveyors, Dr. Falconer and Mr. Home, during the season 1904-5, and of the results of the examination at the Imperial Institute of the first three consignments of minerals collected by the Surveyors.

In the present report the remainder of the specimens, collected by the Surveyors during the later portion of the season 1904-5 are dealt with, in addition to a number of mineral specimens forwarded from Northern Nigeria by Political Officers in accordance with the scheme previously outlined (*loc. cit.*, p. 3).

MINERALS COLLECTED BY POLITICAL OFFICERS OF THE PROTECTORATE.

Salt from Bornu.

The salt is of two kinds, "Natural salt," obtained from earth containing it, and "Vegetable salt," prepared from the ash of *Salvadora persica* or other plants.

Natural Salt.—The samples of natural salt were forwarded to the Imperial Institute by the Acting High Commissioner for Northern Nigeria and are referred to in a letter dated the 3rd August, 1905, which states that they were obtained from the Bornu Province. The area in which this salt is produced is shown on a sketch map enclosed with the letter, from which it appears to extend over about 500 square miles and to

be due west of Kuka and about 70 miles from the shores of Lake Chad. A considerable portion of the salt-producing area appears to lie beyond the border of Northern Nigeria in French Territory.

No description of the source or method of manufacture of the salt was supplied with the samples, but, subsequently, a memorandum was received from the Resident of Bornu Province giving detailed descriptions of the processes employed in making two of the varieties of salt sent, and abstracts of this information are given in the following descriptions of the samples received.

Description of Samples.

No. 2. NnL 11. Ordinary Manga salt.

No. 3. NnL 12. Sherri Manga salt.

Both these varieties of salt are prepared from salt-impregnated earth by placing the latter in basket sieves, allowing water to percolate through it collecting the solution in native pots, and evaporating this to dryness, no attempt being made to separate the crude salt so obtained into its constituents.

This industry appears to be carried on on a considerable scale in the Manga District. Though the only difference between the "ordinary Manga" and "Sherri Manga" salts is said to be that they are prepared by evaporation in differently shaped pots, yet the "Sherri Manga" salt always brings a better price among the natives than "ordinary Manga" salt.

The sample of "ordinary Manga" salt weighed 24 pounds, and consisted of a dark-coloured crystalline mass in broken lumps. The dark colour was due to the presence of a slight amount of organic matter.

The specimen of "Sherri Manga" salt weighed about 11 pounds, and consisted of a dirty crystalline mass. Its taste was less alkaline than that of the "ordinary Manga" salt.

On analysis these materials gave the following results:—

		Ordinary Manga Salt.	Sherri Manga Salt.
		per cent.	per cent.
Matter soluble in water	Sodium chloride, NaCl ...	15·71	12·60
	Sodium sulphate Na_2SO_4...	36·21	40·05
	Sodium carbonate, Na_2CO_3	26·53	—
	Potassium chloride, KCl ...	4·76	0·77
	Water	4·85	0·37
Matter insoluble in water		11·30	44·97

These results show that there is considerable difference in composition between the "ordinary Manga" and "Sherri Manga" salts, the former containing sodium carbonate, which

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is absent from the latter. No doubt the preference shown by the natives for the Sherri variety is due to its freedom from sodium carbonate, which has an unpleasant alkaline taste.

Vegetable Salt.—NnL 13. Manda Karia Salt.

This material is said to be of inferior value, and to be made only in times of scarcity by slaves from the ash produced by burning the grass of the Chad marshes.

The sample weighed 17 pounds, and consisted of almost white dry salt. It was crystalline and contained very little insoluble residue. It had the characteristic taste of salt but was also somewhat bitter and alkaline. It has the following composition as determined by analysis:—

	Per cent.
Sodium chloride, NaCl	50·07
Sodium sulphate, Na_2SO_4	29·39
Sodium carbonate, Na_2CO_3	4·99
Sodium phosphate, Na_2HPO_4 ...	5·48
Potassium chloride, KCl	2·54
Boric anhydride, B_2O_3	1·36
Water, evolved at 100° C.	3·67
„ „ above 100° C. ...	1·56
Residue insoluble in water	0·58

It is difficult to understand why this material should be regarded by the natives as of inferior value, since compared with the two manga salts it is much richer in sodium chloride and contains a comparatively small amount of sodium carbonate. The salt is of special interest as containing 1·36 per cent. of boric anhydride.

No. 1. NnL 10. "Kighr, the vegetable salt, obtained north-west of the River Komaduga Waube, Bornu Province."

This salt is described as being produced by burning the roots and branches of a climbing bush, which it was suggested might be identical with the "Siwak" (*Capparis Sodada* = *C. aphylla*) referred to by the traveller Barth as being used in this way. It is of interest in this connection to refer to the sample of salt subsequently forwarded to the Imperial Institute from Northern Nigeria by the Forestry Officer (*see* page 5), which represents the material prepared by the natives in the neighbourhood of Lake Chad by burning the stems of *Salvadora persica*. The vernacular name of this salt is given by the Forestry Offices as "Kegr," so that possibly these two samples of salt have the same origin, but as will be seen from the results of analysis given below, the amounts of the principal constituents vary widely in the two salts.

The sample NnL 10 weighed about 18 pounds, anl consisted of a white crystalline mass slightly discoloured at some points, and possessing the characteristic taste of sodium chloride,

modified by that of the other ingredients present. On analysis it gave the following results:—

		Per cent.
Portion soluble in water.	Sodium chloride, NaCl ...	83·78
	Potassium chloride, KCl ...	8·98
	Magnesium chloride, $MgCl_2$ ...	0·07
	Calcium chloride, $CaCl_2$ ...	1·73
	Sodium sulphate, Na_2SO_4 ...	0·90
	Lime, CaO	1·13
	Water	1·92
Portion insoluble in water		1·01

These results show that this is a fairly pure sodium chloride. The other constituents, with the exception of the potassium chloride, are of common occurrence in table salts in proportions similar to those found in this sample. The potassium chloride present modifies the taste of the salt somewhat, but would not seriously detract from its value as a condiment.

Salt prepared from the Salt-bush (Salvadora persica).

NnA 3. A sample of this material was forwarded to the Imperial Institute by the Forestry Officer for Northern Nigeria, together with a number of other products of vegetable origin, and is referred to in a letter dated the 20th July, 1906. The material is dealt with in this report for comparison with the preceding specimens.

The salt was labelled "No. 41. Salt made from the salt bush (*Salvadora persica*) common on the banks of Lake Chad," and the vernacular name of the salt was given as "Kegr." The sample weighed about one pound, and consisted of an almost white pulverulent salt, the particles of which consisted mainly of ill-developed cubical crystals of potassium or sodium chloride. No information was supplied as to the exact process by which the salt was made.

On analysis it gave the following results:—

		Per cent.
Portion soluble in water	Potassium chloride, KCl ...	66·36
	Potassium carbonate, K_2CO_3 ...	5·91
	Potassium sulphate, K_2SO_4 ...	1·91
	Sodium chloride, NaCl ...	19·17
	Calcium carbonate, $CaCO_3$ ...	2·43
Residue, insoluble in water		1·81

This salt is remarkable in containing a large proportion of potassium chloride, and it was thought desirable to examine the ash left on combustion of *Salvadora persica* stems in order to ascertain whether this salt was prepared from the ash by mere extraction with water and subsequent evaporation, or whether some process of fractional crystallisation had been adopted.

A specimen of the stems of this plant, labelled "Kegr," had been received from the Forestry Officer and was used for this purpose. On combustion it yielded 6·85 per cent. of ash, which on analysis gave the following results:—

	Per cent.
Potash, K_2O	16·02
Soda, Na_2O	3·74
Lime, CaO	31·00
Alumina, Al_2O_3	0·37
Magnesia, MgO	2·12
Chlorine, Cl	3·35
Sulphuric anhydride, SO_3	35·99
Phosphoric anhydride, P_2O_5	3·55
Silica, SiO_2	0·60

This is quite a normal composition for a plant ash. On extraction with water a solution is obtained containing mainly potassium sulphate, potassium chloride, and sodium carbonate, with some calcium hydroxide. By evaporation of this solution the lime is precipitated and the salts separate in the following order:—(1) potassium sulphate, (2) potassium chloride, and (3) sodium carbonate, the first of these being largely in excess of the others.

It seems almost impossible that a material having the composition of either sample NnL 10 or the specimen of Kegr salt, sent by the Forestry Officer could be prepared by native methods from a crude material of the composition of the *Salvadora persica* ash. It is possible that the ash of this plant may vary considerably in composition, and that when grown in the salt-impregnated soil, which appears to be characteristic of the district in which Kegr salt is made, it may absorb considerable quantities of potassium chloride or sodium chloride which would appear in the ash of the plant when burned, but at present it is impossible to say anything definite on this point, and it would be of great interest to have some further information as to the exact process by which the Kegr salt is made.

General Remarks on Nigerian Salts.

During the last four years a considerable number of samples of "salts" from Northern Nigeria have been examined at the Imperial Institute, and as the manufacture of these products is an industry of some local importance to the Protectorate it may be of interest to summarise and discuss the results obtained.

The results of analysis of the following samples are given in a "Report on a series of Mineral and Vegetable Products from Northern Nigeria, Colonial Reports, Miscellaneous" (Cd. 1939):—

A. Stone potash sent by Mr. Goldsmith, Nupe Province, and said to be brought down by caravans from Kano (*loc. cit.* p. 19).

B. "Loose potash, same origin as A" (*loc. cit.* p. 19).

C. "Asben salts, same origin as A" (*loc. cit.* p. 20).

The results of analyses of samples D to I are given in the "First Report" of this series (Cd. 2875):—

D. Native salt from the Awe Province of Muri (*loc. cit.* pp. 4-5).

E. Native salt from the Azari Province of Muri (*loc. cit.* pp. 4-5).

F. Native salt dug at Bengu, Sokoto (*loc. cit.* p. 12).

G. Potash dug in the bed of the Sokoto River, near Zaura (*loc. cit.* p. 13).

H. Manga salt from Borgu (*loc. cit.* p. 11).

I. Samples of salt prepared by evaporation of brine from the springs at Awe. These samples were prepared by the Principal Surveyor and are described in his Interim Report, No. 3 (*loc. cit.* pp. 20-22).

The samples J to P are described in the present report:—

J. Sample of Kighr salt from Bornu Province (p. 4).

K. Sample of ordinary Manga salt from Bornu Province (p. 3).

L. Sample of Sherri Manga salt from Bornu Province (p. 3).

M. Sample of Manda Karia salt from Bornu Province (p. 4).

N. Salt made from the stems of *Salvadora persica* (Kegr) (p. 5).

O. Sample of salt prepared from salt earth at Jeb-Jeb (p. 23).

P. Sample of salt prepared by evaporating brine from the springs at Awe (p. 23).

The results of the analyses of these 19 samples are as follows:—

—	A.	B.	C.	D.	E.	F.	G.	H	I. 1.	I. 2.	I. 3.	I. 4.	J.	K.	L.	M.	N.	O.	P
	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.	Per cent.
Sodium phosphate, Na_2HPO_4	—	—	—	—	—	—	1·31	—	—	—	—	—	—	—	—	5·48	—	—	—
Sodium chloride, NaCl ...	0·35	1·04	33·83	85·37	85·49	31·60	—	24·27	86·3	81·0	86·0	91·5	83·78	15·71	12·60	50·07	19·17	91·43	87·54
Sodium carbonate, Na_2CO_3 ...	75·06*	69·66*	7·43	—	—	—	52·43	5·23	—	1·5	2·6	1·9	—	26·53	—	4·99	—	1·45	—
Sodium sulphate, Na_2SO_4 ...	trace	8·45	46·44	trace	—	48·70	0·95	30·17	—	—	—	—	0·90	36·21	40·05	29·39	—	1·01	—
Potassium chloride, KCl ...	0·12	0·18	4·47	—	0·61	1·19	1·48	—	6·0	8·2	4·3	2·8	8·98	4·76	0·77	2·54	66·36	0·22	0·34
Potassium sulphate, K_2SO_4 ...	—	—	—	—	—	—	—	2·14	—	—	—	—	—	—	—	—	1·91†	—	—
Calcium chloride, $CaCl_2$ ...	—	—	—	2·39	2·35	—	—	—	—	—	—	—	1·73	—	—	—	—	—	0·70
Calcium carbonate, $CaCO_3$ ...	—	—	—	—	—	—	—	—	3·0	2·9	1·2	1·7	1·13	—	—	—	2·43	3·24	—
Calcium sulphate, $CaSo_4$ ...	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0·43
Magnesium chloride, $MgCl_2$ ...	—	—	—	0·65	0·69	—	—	—	—	—	—	—	0·07	—	—	—	—	—	0·71
Magnesium sulphate, $MgSO_4$	—	—	—	—	—	10·73	—	—	—	—	—	—	—	—	—	—	—	—	—
Magnesium carbonate, $MgCO_3$	—	—	—	—	—	—	—	—	1·6	1·4	0·7	2·1	—	—	—	—	—	—	—
Alumina, Al_2O_3	—	—	—	—	—	—	—	—	0·2	1·2	0·5	0·4	—	—	—	—	—	—	0·30
Boric anhydride, B_2O_3 ...	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1·36	—	—	—
Sulphuric anhydride, SO_3 ...	—	—	—	—	—	—	—	—	0·1	—	—	—	—	—	—	—	—	—	0·38
Phosphoric anhydride, P_2O_5...	trace	trace	trace	—	—	0·08	—	—	—	—	—	—	—	—	—	—	—	—	—
Water, H_2O	22·40	19·49	0·60	11·21	10·71	3·98	—	4·38	—	—	—	—	1·92	4·85	—	5·23	—	1·18	1·78
Insoluble in water	1·25	0·18	6·55	0·38	0·15	2·78	2·23	33·44	—	—	—	—	1·01	11·30	44·97	0·59	1·81	1·12	7·19
Organic matter	—	—	—	—	—	0·25	41·94‡	0·17	—	—	—	—	—	—	—	—	—	—	—

* Existing partly in the form of sodium bicarbonate.
† Sample N contains 5·91 per cent. of potassium carbonate.
‡ Includes water and carbon dioxide.

It will be seen that these salts belong to four different types:—

Type I., consisting mainly of sodium sulphate and sodium chloride. This includes samples C, F, H, K, and L. Of these, it is known that F, H, K, and L are prepared by washing salt-impregnated clay or earth, and it is probable that C is similarly obtained. A number of experiments have been made at the Imperial Institute with materials of this class, in order to ascertain whether it is possible to prepare purer salt (sodium chloride) from them. On recrystallisation from water they generally separate into three fractions: (1) nearly pure sodium sulphate; (2) mixed sodium sulphate and sodium chloride; (3) sodium carbonate (if present), mixed with varying quantities of the other products. By recrystallisation of the second fraction a fairly pure salt (sodium chloride) can be obtained, which would be quite suitable for all ordinary purposes. The sodium sulphate obtained as a bye-product in this operation is of very little value, even in fully developed countries where it can be used as a source of other sodium salts, and it would be useless to attempt to export it. The sodium carbonate (washing soda) obtainable as a second bye-product from the materials represented by samples C, H, and K, would be of considerable value, and could no doubt be applied in many native industries requiring the use of alkalis. When causticised by boiling its solution in water with slaked lime, it could be employed for soap-making and natural alkali carbonates of this description are used in this way for soap manufacture in many parts of the world.

There is no evidence that these salts can be produced in large quantities, and as their commercial exploitation would present some technical difficulties, it is not worth while to discuss it at present.

Type II.,consisting mainly of a mixture of sodium carbonate and sodium bicarbonate. This includes samples A, B, and G. No information is available regarding A and B, but G is stated to be dug from the bed of the Sokoto river, near Zaura. This material will be of considerable value if it occurs in quantity. A similar product is collected in the Anglo-Egyptian Sudan, and exported to Mediterranean countries, where it is used as a source of alkali. The average price obtained for the Sudanese material is £2 1s. per ton. No information was supplied with these samples as to the quantities of these materials available, and consequently it is impossible to make definite suggestions as to their use, but even if the cost of transport is so high that they cannot be exported at a profit, such materials could be treated as suggested above, and used locally for soap-making or other purposes.

Type III., including products consisting mainly of a mixture of sodium and potassium chlorides, and represented by samples J and N, the former being especially rich in sodium chloride and the latter in potassium chloride. Both these products, as well as sample M, are obtained from the ashes of plants. The first of these is almost equal in quality to the average material produced from the Awe brine springs, and the small amount of potassium chloride it contains does not interfere with its value as a condiment, but as potassium chloride is more valuable than sodium chloride, it would be worth while to recover it if this industry were properly organised. Sample N is remarkably rich in potassium chloride, and it would be interesting to know if material of this quality could be produced regularly. Such a product would be of great value locally as a potash manure, and if cheaper transport becomes available in the Protectorate, this material might even be profitably exported if it can be produced in large quantity. The fact that potassium chloride exists in such large proportion in the ash of *Salvadora persica* does not appear to have been recorded previously, and as the results given on pages 5 and 6 show, there is some difficulty in reconciling the composition of the ash obtained by burning a sample of the stems of this plant sent to the Imperial Institute with the composition of the salt said to be obtained from it.

As an indication of the economic importance of this product, it may be mentioned that the present value of potassium chloride is about £10 per ton, so that material of the composition of the sample of Kegr salt sent by the Forestry Officer would be worth in the United Kingdom from £5 to £6 per ton.

Type IV., including products consisting mainly of sodium chloride, such as samples D, E, I, O, and P, which, with the exception of O, are all obtained by evaporating brine obtained from the springs at Awe, Azari, and other towns in the same district.

These are probably the most important sources of salt available in the Protectorate, and in view of this it is worth while to consider the data obtained recently as the result of the further investigations conducted by the officers of the Survey at Awe.

This district was first visited at the end of 1904, and the brine springs are described in Interim Report No. 3, dated the 4th January, 1905, and in a supplementary report, dated the 26th July, 1905, a description is given of the native method of preparing salt from the brine. This consists in sprinkling the brine on a layer of earth previously spread on clay until the earth becomes strongly impregnated with salt, when it is collected into heaps and the salt washed out with

water. The concentrated solution of salt so obtained is then evaporated to dryness in the sun or by artificial heat.

When the salt occurs as an impregnation of grits or of surface alluvium, as at Doja, Lafin Gishiri, and generally in Eastern Muri, loose earth is spread on the surface and moistened with water. As the latter evaporates, the salt in the underlying rock is drawn to the surface and gradually concentrated in the layer of earth, which is then scraped up and treated as described above.

The natives are of opinion that in preparing salt from the brine obtained at Awe the double evaporation referred to above is necessary in order to obtain a wholesome salt, but this double process seems to be unnecessary, since the samples lettered I in the foregoing table, which were prepared by the Officers of the Survey by direct evaporation of the brine are fairly pure salts and contain no unwholesome constituents.

In view of the occurrence at Awe of these brine springs, it was thought likely that boring might lead to the discovery of stronger brine, or even of deposits of rock salt in this neighbourhood, and during the season 1906-7 the Assistant Surveyor, Mr. Longbottom, superintended boring operations there, and the results obtained are described in Interim Report No. 18, dated the 10th June, 1907.

Boring was begun on the 26th January on the outcrop of the lower shales. At a depth of seven feet the bore hole was found full of water each morning, and at nine feet there was a copious flow of weak brine, which increased to a rate which was estimated at 2,700 gallons per hour. Owing to difficulties with the boring apparatus, this hole had to be abandoned at a depth of 15 feet.

A bore was then made on a second site, chosen so that any brine which welled up would flow away without flooding the ground near the derrick. This reached the shales at 22 feet, and these were proved down to 33 feet. Down to 31 feet the hole remained full of brine up to within 6 or 7 feet of the top, but there was no outflow. At 32 feet the level of the brine began to rise, and at 33 feet a brisk outflow set in, which did not in any way diminish that from the first borehole.

Below the shales sandstone was reached, and the hole was carried down to 46 feet, at which point it had to be abandoned owing to further difficulties with the boring gear.

It is unfortunate that the boring could not be continued further to ascertain whether deposits of stronger brine or rock salt occur below the sandstones, and this work should be taken up again in order to settle this point, which will have an important bearing on the working of salt at Awe.

In the meantime, it is worth while to consider the question of utilising the weak brine, which is obtainable apparently

in unlimited quantities, in a more economical fashion than that now practised by the natives.

The problem presents some difficulty, since this brine is far weaker than those generally used for the preparation of salt, but on the other hand Northern Nigeria has certain advantages which are not obtainable in European countries where salt manufacture is carried on: thus labour is cheap, land is obtainable at low rates for the laying out of salt beds, and there is a comparatively long dry season, during which evaporation by sun heat goes on rapidly. All these are factors of great importance in the establishment of salt manufacture, and finally there would appear to be little fear of competition from European salt, owing to the heavy cost of transporting the latter from the coast to the interior.

The plan usually adopted in Europe in preparing salt from weak brine such as sea-water is to expose large areas of the latter to evaporation by sun and wind, or where the brine is very weak it is sprinkled by means of perforated channels over walls of brushwood enclosed in open wooden frames. These walls are usually built lengthwise in the direction of the prevailing wind, and the concentrated brine which drips from them is run into a shallow basin for final evaporation, and as the masses of crystals gather on the bottom of the basin they are detached, piled in heaps to dry, and are finally stored under cover. Enormous quantities of salt are made in this way from sea-water in France, Spain, Portugal, Italy, and elsewhere for local consumption and also for export to other countries.

In starting a salt industry on this plan in the Awe district, it would be necessary to select an outflow of brine at a fairly high level, or to fit a hydrant to an outflow naturally at low level, so that the brine could flow over a series of brushwood walls, and finally run into the evaporating basins owing to the action of gravitation. This would do away with any necessity for pumps but if for any reason a high-level site is not available, wind pumps could be used for raising the brine so that it could be made to flow through the brushwood. Before definite proposals can be put forward as to the exact procedure to be adopted, full information would be necessary regarding the contour of the district in the neighbourhood of the springs, the labour supply, the average hygrometric condition of the atmosphere during the dry season and other matters, so that the following suggestions are not intended as data, accurate enough for the formulation of a definite working plan, but only as indicating the method which should be adopted, and as affording evidence that salt of good quality could be produced at a low cost at Awe.

Mr. Home estimated that the content of salt in the Awe brine is about 310 grains per gallon, so that a bore hole, such as that made under Mr. Longbottom's supervision last season, which was estimated to deliver 2,700 gallons per hour, gives an output

of 120 lb. of salt per hour or 2,880 lb. per day of 24 hours. The actual outflow of water per day of 24 hours will be 64,800 gallons. Data are wanting as to the evaporation which will go on from a freely-exposed water surface near Awe during the dry season, but in India 0·5 inch per day is not at all unusual, and 0·2 inch is about the minimum for tropical countries. Assuming that it would be 0·2 inch at Awe this would mean that the daily output of 64,800 gallons would be completely evaporated in the course of one day if it were spread over a surface of about 14 acres, and if, as is highly probable, the rate of evaporation at Awe is more than 0·2 inch per day, a correspondingly smaller area would be required. The evaporation of this supply of brine would give a daily output of 2,880 lb. of salt, equivalent to 150 tons during a dry season of four months.

If, however, the combined system of brushwood walls and shallow basins were used, the area of the latter could be much reduced for the maintenance of the same output. Experience of the brushwood-wall method of evaporation in Europe indicates that an average evaporation of 13 gallons per day for each square foot of surface exposed takes place, so that a series of walls exposing 2,500 square feet of surface would reduce the above daily output of brine to half its bulk, which could then be run into shallow basins for final evaporation, and an exposed area of 7 acres of shallow basins would be required instead of 14 acres. This would be distinctly advantageous, since the shallow basins would be flooded during the wet season and would require to be cleaned out at the beginning of each dry season, and the smaller the total area of the basins the less would be the expenditure for this cleaning operation.

The brushwood walls would require renewal from time to time as the branches gradually become coated with calcium carbonate, so that the evaporating surface is impaired.

The shallow basins used for evaporating brine on the Continent are of simple construction. The ground is first levelled and walls of puddled clay are built round the selected area to a height of about one foot, or the depth is obtained by digging out if this is more convenient. A size often employed on the Continent is 25 feet by 15 feet; this filled to a depth of six inches holds 1,160 gallons, which, on the above assumption of a rate of evaporation of 0·2 inch per day, would require a month to dry up. In making a series of evaporating basins, it is generally advisable to level a large area, enclose the whole by a puddled wall of clay and then divide it up into sections of convenient size by transverse walls of puddled clay. If the bottom of the selected area is porous, it should be covered over with puddled clay, and then clean gravel spread over this to form a surface for the crystallisation of the salt.

After crystallisation the salt should be removed with a flat shovel, preferably perforated, and then stacked in heaps in

order to allow impurities to liquefy and flow off and to dry the salt, after which it may be stored under cover. A very pure salt should be obtained from the Awe brine, since few impurities are present. It might be found worth while, eventually, to recover the small amount of potassium chloride which occurs in the brine, but this introduces complications and need not be considered at present.

There can be no doubt that salt can be made at Awe at prices far below those now obtained for salt in the interior of Northern Nigeria, where, it is stated, that native salt costs £13 per ton, and imported European salt £24 to £26 per ton.

It is, of course, impossible to say what the cost of producing salt at Awe will be, but it may be of interest in this connection to mention that in the neighbourhood of Cadiz, where salt is made by the evaporation of sea-water in shallow basins of the kind described above, the price at which salt is usually sold for export varies from six shillings to seven shillings and sixpence per ton f.o.b. The sea-water used at Cadiz is richer in salt that the Awe brine, but it contains more impurities, and in Spain labour is dearer and the rate of evaporation of brine by the heat of the sun is much slower than it will be in Nigeria.

There seems to be no reason why salt should not be made at something like these prices at Awe, and if this can be done, there should be no danger from competition with salt imported from Europe, since the latter costs, on the average, 30*s.* per ton at the coast, to which must be added the heavy cost of transport into the interior. A salt industry at Awe would also be in the fortunate position of possessing easy transport, since it is only one day's journey from the river, so that the salt could be distributed readily along the waterway.

When further information has been obtained in connection with the additional borings which are to be made by the Public Works Department, it will be worth while to consider how the industry can be best developed by the formation of a salt company or by work under Government auspices.

Minerals Collected by the Officers of the Mineral Survey during the latter part of 1904–1905.

The route followed by the Surveyors during this period was confined to the Provinces of Muri and Bauchi. Starting at Wase they reached Bauchi town viâ Kanna and Mount Buli, and thence visited the tinstone areas of Tilde, Joss, and Ngell. It was considered inadvisable to go into the pagan country beyond Ngell without a larger escort, and the return journey was made viâ Goram, Palli, and Panguru, through the Tangale and Ligari Hills to Muri. Thence viâ Bomanda the Surveyors crosesd the Benue River and made observations in the neighbourhood of Kwana and Jalingo, whence they travelled westward to Ibi, passing through Kundi, Bantaji, and Yakola. Six

interim reports were forwarded by the Principal Surveyor during this period:—

No. 4, dated the 20th January, 1905, deals with the Wase District.

No. 5, dated the 22nd February, 1905, describes the Bauchi area.

No. 6, dated the 12th March, 1905, refers to occurrences of pottery clay at Bomanda and the salt incrustations at Jeb-Jeb, Jebero, and elsewhere in the neighbourhood.

No. 7, dated the 30th March, 1905, describes the alluvial deposits of magnetite in the Mumuye country.

No. 8, dated the 15th April, 1905, deals with the brine springs of Muri, and an enclosure with it, dated the 14th April, 1905, gives the results of a second visit to Orofu with the object of making a further examination of the galena lode existing there and described in the previous report of this series. The new investigations indicate that the deposit, as so far examined, is of little commercial importance.

The specimens transmitted to the Imperial Institute may conveniently be divided into four groups: (*a*) rocks, (*b*) tinstone concentrates, (*c*) magnetite concentrates, and (*d*) miscellaneous minerals, including kaolin and salts.

Rocks.

In this group the following specimens are included:—

NnF 31. Trachyte, Goran Dusi, Wase.
,, 32. Olivine basalt, south of Goran Dusi, Wase.
,, 33. Basalt with olivine nodules. Wase Topa.
,, 34. Hornblende granite, Gurkawa Hills, north side.
,, 35. Granite porphyry, do. south side.
,, 36. Quartz porphyry, do. do.
,, 37. Felsite, do. do.
,, 38. Quartz porphyry, Yergum Country.
,, 39. Felsite, do.
,, 40. Grit, Bashar.
,, 41. Dolerite, Bashar.
,, 42. Quartzite, Bashar.
,, 44. Augen gneiss, Kyunkyum.
,, 45. Pegmatite vein, Kyunkyum.
,, 46. Biotite granite, Kyunkyum.
,, 47. Gabbro, north of Kyunkyum.
,, 48. Granite, north of Bauchi.
,, 49. Syenite, Bauchi.
,, 50. Felsite, west of Bauchi.
,, 51. Garnetiferous gneiss, south of Bauchi.
,, 52. Dolerite, Mount Buli, south of Bauchi.

NnF 66. Garnetiferous gneiss, Tilde.
,, 73. Grit, Gatari.
,, 76. Calcareous incrustations, Jebero.
,, 77. Grit, Jenoe.
,, 78. Concretionary sandstone, Bomanda.
,, 79. Green marl, Bomanda.
,, 81. Veinstone (pyritic quartz porphyry), near Aranti.
,, 89. Grit, Doma.
,, 90. Basalt, Kanje.
,, 94. Basalt, Mount Ebu.

Most of these products, though of considerable scientific interest, are of no direct commercial importance, although some of the rocks would be suitable for building or road-making purposes.

Tinstone and Monazite Concentrates.

Number.	Origin.	Reference to interim report.	Constituents.
NnF 43	Gurkawa River.	No. 4	Ilmenite, zircon, magnetite and quartz.
NnF 53	Zagi River south of Bauchi.	No. 5	Ilmenite, garnet, quartz, zircon and monazite.
NnF 54	Bula ...	No. 5	Ilmenite, garnet, zircon, quartz, monazite and cassiterite (tinstone) traces.
NnF 55	Tilde ...	No. 5	Chiefly granitic decomposition products with some tinstone.
NnF 56	Tilde ...	No. 5	Ilmenite, garnet, zircon, quartz, monazite and tinstone.
NnF 57	Tilde ...	No. 5	Similar to NnF 56 but also contains some rutile.
NnF 60	Tilde ...	No. 5	Ilmenite, garnet, zircon, rutile, quartz, tinstone and monazite.
NnF 61	River beyond Joss.	No. 5	Is similar to NnF 60 but contains rather less tinstone.
NnF 63	Tilde ...	No. 5	Quartz, zircon, ilmenite, rutile tinstone and monazite.
NnF 64	Tilde ...	No. 5	Tinstone.
NnF 65	Tilde (river bed).	No. 5	Ilmenite, zircon, rutile, quartz, monazite and tinstone.
NnF 68	Tilde ...	No. 5	Tin-bearing gravel resembling NnF 55.
NnF 69	River Kende between Goram and Bomanda.	No. 6	Ilmenite, quartz, garnet, magnetite, with traces of tinstone and monazite.

Of these concentrates, the following typical specimens were selected for chemical analysis:—

NnF 54.—This specimen, collected at Bula, weighed 6 grams. On analysis, it gave the following results:—

	Per cent.	
Thoria, ThO_2	0·67	Equivalent to 7·88 per cent. of monazite in the concentrate.
Ceria and allied oxides, Ce_2O_3, &c.	4·43	
Phosphoric anhydride, P_2O_5	2·78	
Tin oxide, SnO_2	0·37	Equivalent to 0·37 per cent. of tinstone in the concentrate.

The quantity of tinstone and monazite in this sample is too small to make the material of commercial value, but the specimen is of interest as indicating the existence of those two minerals in this locality, in which tinstone has not so far been recorded.

NnF 55.—"Sandy mass (tin-bearing), collected at Tilde." The sample weighed about ¾ lb., and consisted of fragments of quartz in a pulverulent, sandy material, containing cassiterite with quartz, mica, and kaolin. On analysis, it was found to contain 1·35 per cent. of tin oxide, which is equivalent to 30 lb. of tinstone per ton of the crude material. The tinstone was readily concentrated by washing the crude material.

NnF 57.—This concentrate was collected from the river bed at Tilde (camp 11). On analysis, it gave the following results:—

	Per cent.	
Tin oxide, SnO_2	67·96	Equivalent to 53 per cent. of metallic tin in the concentrate.
Thoria, ThO_2	0·20	Equivalent to 3·5 per cent. of monazite in the concentrate.
Ceria and related oxides, Ce_2O_3, &c.	2·20	
Phosphoric anhydride, P_2O_5	1·06	
Titanic anhydride, TiO_2 ...	6·71	
Ferric oxide, Fe_2O_3 ...	2·33	
Ferrous oxide, FeO ...	5·38	
Lead oxide, PbO	0·60	

The amount of tinstone in this material could no doubt be considerably increased by more careful washing or by the use of electro-magnetic methods of separation.

NnF 60.—"Tin concentrate from excavation, Tilde." The sample was a black sand, weighing 363 grams. On analysis, it gave the following results:—

	Per cent.	
Tin oxide, SnO_2	80·85	Equivalent to 63·5 per cent. of metallic tin in the concentrate.
Thoria, ThO_2	0·94	
Ceria and related oxides, Ce_2O_3, &c.		
Phosphoric anhydride, P_2O_5	0·36	
Titanic anhydride, TiO_2 ...	2·29	
Alumina, Al_2O_3	7·40	
Ferric oxide, Fe_2O_3 ...	1·68	
Ferrous oxide, FeO ...	2·06	

This is a rich tinstone concentrate, which could be smelted directly. The amount of monazite present is too small to be worth working.

NnF 61.—"Tinstone concentrate. River beyond Joss." This is a black sand weighing about 71 grams. On analysis, it gave the following results:—

	Per cent.
Tin oxide, SnO_2	39·04
Thoria, ThO_2	0·13
Ceria and allied oxides, &c., Ce_2O_3 ...	1·42

This contains the equivalent of 30·77 per cent. of tin, and would require further concentration before it could be smelted. This concentration could be effected either by washing or by magnetic means.

General Remarks on the Tinstone and Monazite Concentrates.

Most of the concentrates were obtained from the plateaux of Tilde, Rukuba, Joss, and Ngell. On the first three of these the Principal Surveyor reports that the Niger Company has prospecting camps. The finest grained tinstone is found on the Tilde plateau, the coarser material coming from Joss and Ngell. The tinstone is said to be irregularly distributed, and adjoining pits may furnish such different yields as 10 lb., or less, and 400 lb. per ton of gravel worked. The average yield at the Rukuba camp is 25 lb. per ton. The present works, it is stated, are all in the near neighbourhood of the river Delime, but from the facts recorded above it appears that the gravels are more or less rich in tin over the whole surface of the plateau. The river beds in some cases contain valuable tinstone-bearing gravels, as is shown by the results of the analysis of the concentrate (NnF 57) from the river bed at Tilde, which contained 68 per cent. of tinstone. That from beyond Joss (NnF 61) contained only 40 per cent. of tinstone, possibly owing to the difficulty of separating the ilmenite from the tinstone by washing. The concentrate from the Kende river consisted almost entirely of ilmenite. The presence of

the latter mineral in the stream beds will introduce a difficulty in the concentration of the tinstone, as it is not readily distinguishable by inspection from tinstone, and collects with it in the first concentration.

The results so far obtained show that tinstone is widely distributed in the province of Bauchi in the alluvium of both the high and low plateaux. As these tinstone districts are in process of being prospected, it is scarcely worth while to discuss the commercial value of the tin concentrates here, but it may be pointed out that several of these concentrates contain monazite, and this may be worth recovering. The amount of monazite present is usually small, and it is scarcely likely that its recovery under present circumstances would pay for the working of an electro-magnetic concentrator, which would be required to effect its separation. If, however, it becomes necessary to use such concentrators in order to separate the ilmenite, which occurs with the tinstone, then it would probably be worth while to recover the monazite as a bye-product.

The question of the origin of the tinstone occurring in this region is of great interest, and the Officers of the Survey propose to devote further attention to the subject.

Iron Ores and Ferruginous Sands.

Number.	Origin.	Reference to interim report.	Constituents.
NnF 71	Panguru ...	No. 6	Concretionary iron ore.
NnF 72	Panguru ...	No. 6	Described as a native iron. It really consists of porous iron slag containing particles of charcoal.
NnF 80	Davu ...	No. 7	Black sand containing magnetite, ilmenite, quartz, and zircon.
NnF 82	Between Aranti and Davu.	—	Described as native iron. It is a porous iron slag mixed with charcoal.
NnF 83	River Kam (river bed).	No. 7	Black sand containing ilmenite, magnetite, quartz, and zircon.
NnF 84	River Kam (river bank).	No. 7	Black sand composed of ilmenite with small quantities of magnetite, zircon, quartz, garnet, and traces of cassiterite and monazite.
NnF 85	River Tarabba Kundi.	No. 7	Black sand containing ilmenite, magnetite, and small quantities of zircon, quartz, epidote, and traces of monazite and tinstone.
NnF 87	River Donga Yakola.	No. 7	This closely resembled NnF 86 in composition and appearance, but contained in addition some small quantities of garnet, hornblende, tourmaline, and rutile.

The following samples, selected as typical of the series of iron ores, were analysed:—

NnF 71.—Three specimens, A, B, and C, were submitted. They consisted of purplish, hydrated ferric oxide. On analysis, the following results were obtained:—

	A. Per cent.	B. Per cent.	C. Per cent.
Ferric oxide, Fe_2O_3	61·19*	80·43*	44·18*
Alumina, Al_2O_3	17·49	1·55	3·24
Manganous oxide, MnO	0·74	0·46	0·68
Magnesia, MgO	0·23	0·38	0·29
Silica, SiO_2...	8·69	5·92	43·53
Carbon dioxide, CO_2	1·58	0·20	—
Phosphoric oxide, P_2O_5	0·06	0·03	—
Combined water, H_2O	9·19	10·21	7·39
Moisture	0·79	0·63	0·45

* (A) Equivalent to 42·83 per cent. of metallic iron.
(B) „ 56·3 „ „
(C) „ 30·92 „ „

Sample A.—This is a clay ironstone, containing more water than is usually present in this type of iron ore. The percentage of iron is rather low, but ore of this type is easily smelted, and material similar in quality to the present sample has been largely smelted in the United Kingdom.

Sample B.—This is a valuable iron ore, and would form an excellent material for the manufacture of pig iron, to be used in making steel by the acid process.

Sample C.—This ore contains too much silica to be of any value. It is stated in the Interim Report No. 6 that these ores are found in the surface alluvium, and are used in the native manufacture of iron. No information is supplied as to the extent of the occurrences, but presumably these are not extensive, so that the iron ore is only of interest as affording a supply for the local native smelting industry.

The following typical specimens of iron sands were selected for analysis:—

NnF 83.—The sample weighed 2 lb., and was found on analysis to contain the equivalent of 37·20 per cent. of iron. Owing to the large amount of ilmenite present, it is of no value as an iron ore. No tinstone could be detected in the sample.

NnF 84.—This sample weighed about 4 ounces. On analysis, it gave the following results:—

	Per cent.
Metallic iron, Fe	35·23
Tin oxide, SnO_2	0·04
Cerium and related oxides, &c., Ce_2O_3	0·06

The iron occurs in the sample mainly in the form of ilmenite, and the material is therefore of no value as an iron ore.

NnF 85.—The sample weighed about 1 lb. On analysis, it gave the following results:—

	Per cent.
Metallic iron, Fe	43·02
Tin oxide, SnO_2	0·12

This sample is the richest in iron of all the iron-sand concentrates submitted by the Surveyors. In its present condition it is, however, too poor to be worth working except by the native methods already in use. It is possible that the material might be improved by further concentration.

NnF 86.—The sample weighed about 1 lb. It gave the following result on analysis:—

	Per cent.
Metallic iron, Fe	33·30
Tin oxide, SnO_2	0·17

The iron is present mainly in the form of ilmenite, so that the material would be unsuitable for smelting in blast furnaces as iron ore.

Commercial Value of the Ferruginous Concentrates.

The Interim Report (No. 7) states that in the Mumuye country to the east, magnetite becomes abundant, and the extensive alluvial deposits yield material for the manufacture of iron, which finds its way at least as far as the Kam country to the south. The sands from which the concentrates were prepared appear to be widely distributed in the neighbourhood of the rivers Kam, Tarabba, Suntai, and Donga, on the south side of the river Benue, and to be derived from the crystalline rocks in that part of the Protectorate. The results of the analyses show that these concentrates are poor in iron, and on this account, and also owing to the presence of ilmenite, are quite unsuitable for smelting by modern methods, though they are available for the manufacture of iron by the primitive native processes, to the successful operation of which the presence of ilmenite or similar impurities in the ore used makes little difference. It might be possible to remove the ilmenite to some extent by magnetic concentration, so as to produce a material suitable for smelting in blast furnaces, but so long as large deposits of richer iron ore are available cheaply in other parts of the

world it is not likely that it will be remunerative to work these deposits for export, although it might be advantageous to use them for local supplies of iron, should a larger demand for the material arise in the Protectorate owing to improvement in agricultural methods, with a consequent increase in the use of agricultural tools.

Miscellaneous Minerals.

NnF 58.—"Ochre, Tilde." This specimen weighed about 142 grams, and consisted mainly of pebbles of limonite, with a few fragments of topaz. The colour of the limonite is too poor and dull to render this material of value as an ochre for export, though it might be suitable for local use as a pigment.

NnF 59.—"Topaz pebbles, Tilde." These are clear, pale yellow pebbles. A sample was submitted to a gem expert, but he reported that the material was unsuitable for gem purposes.

NnF 62.—"Quartz and Topaz pebbles, Tilde." The specimens of topaz included in this sample are similar to NnF 59, and the remarks as to the commercial value of that sample apply equally to this one.

NnF 70.—"a.b.c.d.e. Clay, Palli." These samples of clay are referred to in the Sixth Interim Report, which states that bands of white earthy material occur, intercalated among the crystalline rocks, and that some of these contain knots and lenticular patches of fairly pure clay, which is used by the natives for making pottery.

The samples sent represented the purer clay, and consisted of pink-tinted lumps showing a banded structure. Two of the five samples, which were typical of the set, were submitted to chemical examination, and gave the following results:—

	NnF 70 a. per cent.	NnF 70 e. per cent.
Alumina, Al_2O_3	35·25	19·68
Ferric oxide, Fe_2O_3	2·79	2·53
Magnesia, MgO	—	0·54
Soda, Na_2O	1·18	1·75
Silica, SiO_2	45·88	68·13
Water (combined) H_2O	13·86	6·94
Moisture	0·72	0·28

The material represented by NnF 70 (*a*) has a composition in close agreement with that theoretically required for kaolin, but its physical properties are much inferior to those of kaolin

of good quality. Thus it does not disintegrate rapidly in water, and after being well "pugged" the paste shows very poor plasticity and cracks badly on drying. The pottery obtained is almost white.

This kaolin requires elaborate preparation and would then be suitable as a body for the manufacture of earthenware. The results of the analysis of NnF 70 (*e*) indicate that the material is of poorer quality than NnF 70 (*a*) and probably contains some incompletely decomposed felspar. The material possesses properties similar but inferior to those of NnF 70 (*a*). These clays can at present only be of local interest from an economic point of view, as abundant supplies of much better clays are available elsewhere at very low rates.

NnF 74.—"Saline marl (recent) from Jeb-Jeb."

The specimen weighed about 1 lb. It consists of a siliceous sand impregnated with sodium chloride, and belongs to a series of so-called calcareous grits overlying the felspathic grits of Ligari. The upper series are reported to be salt-bearing at Jeb-Jeb, Jebero, Jenoe, Bomanda, and Langa. On analysis it was found to contain 29·76 per cent. of salts soluble in water consisting of almost pure sodium chloride, with traces only of sulphate and carbonate.

NnF 75.—"Salt, Jeb-Jeb." The sample weighed about ½ oz. This material is made presumably by extracting the sand represented by the previous sample and subsequent evaporation of the brine. It was of good flavour and nearly colourless. On analysis it gave the following results:—

		Per cent.
Soluble in water.	Sodium chloride, NaCl ...	91·43
	Potassium chloride, KCl ...	0·22
	Sodium sulphate, Na_2SO_4 ...	1·01
	Sodium carbonate, Na_2CO_3...	1·46
Insoluble in water.	Calcium carbonate, $CaCO_3$...	3·24
	Silica, SiO_2	1·12
Water, H_2O		1·18

The sample contained no iodides, bromides, or borates. It is a fairly pure salt and suitable for use as a condiment without further treatment. A very pure salt could be obtained by partial crystallisation of the brine as practised in European countries. It appears, however, from the sixth interim report that the supply of these saline marls is small and, consequently, this source of salt seems to be of little importance.

NnF 88.—"Salt, Awe." The sample weighed about 4 ounces. It is similar to those previously examined from this district and like them is prepared by evaporation of brine from the brine springs but is native made (*see* Cd. 2875, pp. 4-5). It consists almost entirely of broken crystals of sodium

chloride, and possesses the ordinary taste of table salt. On analysis the following results were obtained:—

	Per cent.
Sodium chloride, NaCl	87·54
Potassium chloride, KCl	0·34
Calcium chloride, $CaCl_2$	0·70
Magnesium chloride, $MgCl_2$	0·71
Calcium sulphate, $CaSO_4$	0·43
Aluminium sulphate, $Al_2(SO_4)_3$ ...	0·57
Water	1·78
Insoluble residue	7·19

The salt, if freed from insoluble matter, which consists principally of sand, would contain 96·2 per cent. of real salt (sodium chloride) and would then compare favourably with much of the salt used in Europe. It is otherwise of good quality and suitable for culinary purposes. The question of the manufacture of salt from the Awe brine is fully discussed on pages 10 to 14.

Concentrates.

Number.	Origin.	Reference to Interim Report.	Constituents
NnF 91 ...	River Modu ...	No. 8	Ilmenite, garnet, zircon, rutile, quartz, epidote, and a trace of monazite.
NnF 92 ...	Awe	No. 8	Is similar to NnF 91, but contains no monazite.
NnF 93 ...	Benue River N. Bank, 6 miles below Gidan Zebu.	No. 8	This resembles NnF 91, but contains in addition a few grains of limonite.

These concentrates do not represent anything of economic value. NnF 91 is of interest as containing a trace of monazite and proving the occurrence of this mineral in a new locality.

NnF 2. A-H. "Further samples of galena from Orofu, Province of Muri."

The galena deposit at Orofu was visited early in the season and the sample NnF 2 then obtained was examined and the results are given in the first report of this series (*see* Colonial Reports, Miscellaneous, No. 32, Northern Nigeria [Cd. 2875], p. 18). A satisfactory examination of the deposit was impossible at that time owing to the presence of water in the shafts, and the width of the lode could not be determined.

A second visit was made by the Assistant Surveyor at the end of the season, and is described in the Eighth Interim

Report. The shafts examined still contained from 2 to 12 feet of water, but in several cases it was possible to get to the bottom. The shafts were from 20 to 35 feet deep. In some cases the lode was poor in ore, whilst in others the ore was good, and the lode showed evidence of continuing in depth. It has an average width of about 4 feet, and is practically vertical. It cuts across the sedimentary rocks in an E. to W. direction.

The galena occurs in patches varying from the size of a pea up to irregular masses six inches in diameter, and has a gangue of fluorspar. The country rock is limestone, which is much silicified in places where it forms the walls of the lode.

Samples were taken from the various shafts examined. Of these, two representative samples, consisting of a mixture of galena and fluorspar, were submitted to chemical analysis, and gave the following results:—

——	NnF 2C.	NnF 2H.
Lead	30·10 per cent. ...	41·51 per cent.
Silver	0·65 oz. per ton. ...	1·08 oz. per ton.
Gold	Nil	Nil.

The specimens previously examined (*loc. cit.*) gave the following results on analysis:—

	Per cent.	
Lead sulphide, PbS ...	80·85	Equivalent to 75 per cent. of metallic lead.
Lead sulphate	7·80	
	Per ton.	
Silver	1·5 oz.	

A comparison of these results shows that the former specimen, which was a selected one and did not fairly represent the material available on a large scale, was much richer in lead than the present samples. Ore of such a character as that represented by these samples is too poor to be worth mining for export purposes, and is only worth consideration for local use.

It should be pointed out, however, that the examination of these Muri lead veins has so far been only of a superficial character, and that only old shafts have been investigated by the Officers of the Survey.

The occurrence of lead ores near Abakaliki, in Southern Nigeria, indicates that the galena deposits of Nigeria have an extensive distribution. Other veins than that here considered are known to occur in Muri, and as the silver content of lead ores is very variable, it is desirable that a further and fuller investigation of the area should be made for the special purpose of determining the character and extent of the lead deposits.

WYNDHAM R. DUNSTAN.

10th December, 1907.

COLONIAL REPORTS.

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ANNUAL.

No.	Colony, &c.	Year.
522	Falkland Islands...	1906
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524	Jamaica	1905–1906
525	Uganda	"
526	St. Helena	1906
527	Ceylon	"
528	Bermuda	"
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530	Northern Territories of the Gold Coast	"
531	Sierra Leone	"
532	Colonial Survey Committee	1906–1907
533	Weihaiwei	1906
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535	Malta	1906–1907
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537	British Central Africa Protectorate	1906–1907
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554	Southern Nigeria	"

MISCELLANEOUS.

No.	Colony.	Subject.
38	St. Helena	Agriculture.
39	Jamaica	Cayman Islands.
40	Northern Nigeria	Taxation of Natives.
41	East Africa Protectorate ...	Report on Kenia Forests.
42	Ceylon	Mineral Survey, 1905–6.
43	Caicos Islands	Fibre.
44	East Africa Protectorate ...	Survey Department.
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(No. III. of Series.)

By Professor WYNDHAM R. DUNSTAN, M.A., LL.D., F.R.S.,
DIRECTOR OF THE IMPERIAL INSTITUTE.

(For Report for 1904–5, *see* No. 46.)

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Director of the Imperial Institute.

The present report deals with the minerals collected in the Provinces of Bassa, Kabba, Illorin, Nupe, and Nassarawa by the Officers of the Survey, Dr. J. D. Falconer and Mr. D. R. Home during the year 1905-6. At the end of the year Mr. D. R. Home resigned his position on the Survey to take up an appointment in the Department of Mines in Egypt, and was succeeded by Mr. A. Longbottom, B.A. (Cantab).

During this period, Dr. Falconer forwarded seven interim reports (Nos. 10-16) describing the work done in the five provinces mentioned above, and the following is a summary of the field results so recorded.

Bassa Province.

Bassa is mainly covered by an approximately horizontal series of barren sedimentary rocks of which the commonest type is an earthy ferruginous sandstone. There is a narrow band of metamorphic rocks (gneisses, schists, and limestones) adjacent to the Niger and stretching from Kpata to Itobi, but these rocks cover only a small area, the band being nowhere more than five or six miles wide. Pegmatites are of frequent occurrence in these metamorphic rocks, but the only mineral of economic importance which they contain is mica, and this occurs in plates too small to be of any value.

At Igbo, within a mile of the river, a number of bands of crystalline limestone are included in the metamorphic rocks. These bands are from three to four feet in breadth, and the analysis of a typical sample (*see* NnF 133, page 10) shows that they are likely to be of value as a source of lime.

Ironstone concretions occur in the Bassa ferruginous sandstone and samples of this material (NnF 99 and 107, pages 8

and 9) have been analysed. The results show that the material is comparatively rich, but it is too sporadic in distribution to be of value as an iron ore.

Kabba Province.

Nearly the whole of this province is occupied by crystalline rocks, of which gneiss is the commonest type. There is a narrow strip of country in the neighbourhood of Lampechi in Southern Kabba which is occupied by a thin series of grits and ironstones. Also in the North East of the province, there is a series of grits and sandstones, the margin of which stretches from near Lokoja in a north-westerly direction, and passes near Kosobeji into Illorin. These grits and sandstones are generally ferruginous, like those of Bassa.

Iron ore appears to be abundant in this district; it occurs as masses of magnetite near Anom, and limonite of sedimentary origin in the neighbourhood of Lampechi.

An extensive examination of the stream and river deposits of Kabba indicates that no gold, tinstone, or other valuable metallic minerals occur in them. The most noteworthy feature of the concentrates obtained from these stream deposits is the prevalence in them of the rare earth mineral monazite; the quantities of this mineral present are usually small, but occasionally fairly rich samples are met with.

Illorin Province.

The rocks of this province are mostly crystalline, including granites, gneisses, quartzites and quartz schists, and are merely a westerly extension of the rocks occurring in the province of Kabba. The Shappa and Orissa Hills vary in composition from granites and gneisses in the south to quartzite and quartz schists in the north. A succession of granites, gneisses and quartzites stretches westwards to Illorin. A strip of grits, clays, and ironstones occupies the northern boundary of the province between Erufu and Share. Here the outcrop curves northward to cross the Niger in the neighbourhood of Rawa.

The stream deposits of Illorin are poor in heavy minerals, traces of monazite occur occasionally, but the only place where it occurs in notable quantity is a small stream near Aietu.

Nupe Province.

The greater part of Nupe province is covered by reddish grits. These appear on the north bank of the Niger between Rawa and Rabba, stretching northward to the boundary and eastwards to Bida. They extend eastward from Bida to within three miles of Mukweigi, where the crystalline rocks of the Gwari country first appear.

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The western corner of the province consists of metamorphic rocks similar to those of the adjoining portion of Illorin. The minerals met with in Nupe are of no economic importance, and the stream deposits yield nothing of value.

Nassarawa Province.

The rocks of this province consist chiefly of granites and gneisses, with occasional mica schists. Exceptions to this are the rocks of the Morrua plateau, which are volcanic, and consist of olivine basalt. South of Gwombe the red grits and ironstones appear, and continue thence to Koton Kariffi.

Magnetite is abundant in the stream deposits east of Abuja. Monazite is fairly common in traces among the stream deposits, and becomes locally more abundant in the vicinity of Aribi. A noticeable quantity of monazite also occurs in the River Gurara at Gantam; and there are indications that this mineral may be more abundantly distributed further north. Much iron is made by the natives in the Koro and Jaba countries from concretionary iron ore.

A specimen of talc was obtained in the vicinity of Lampai.

Results of the Examination of the Samples Collected.

Before proceeding to give in detail the results of the mineralogical and chemical examination of the samples forwarded to the Imperial Institute by the Surveyors, it may be well to summarise here the more important facts ascertained. The minerals of economic importance included in the seven consignments now dealt with fall into three groups: (*a*) iron ores, (*b*) concentrates containing monazite or tinstone or both, and (*c*) limestones.

Iron Ores.

Eleven samples of iron ores have been examined, apart from a number of concentrates containing magnetite, which need not be considered in the present connection. For convenience of reference the percentages of iron present in these eleven samples of iron ore are grouped together in the following table:—

Number of Sample.	Locality.	Metallic Iron.	Remarks.
NnF		Per cent.	
99	Assadam ...	47·3	Fair quality; deposit apparently small.
107	Ogeni ...	33·9	Poor quality, containing much phosphorus and silica.

Number of Sample.	Locality.	Metallic Iron.	Remarks.
NnF		Per cent.	
148	Okuruku ...	42·0	A quartz-magnetite rock which would require to be ground and concentrated before smelting.
169	Anom ...	56·39	Contains 16·8 per cent of silica, but would probably be suitable for smelting without preliminary treatment.
178	Akwi ...	56·61	These are both ores of excellent quality already in use by the natives.
182	Ojerami ...	55·87	
293	Jakura ...	53·13	A typical brown iron ore of good quality.
442	Near Share	43·13	Contains a good deal of silica and the deposit may be variable in quality.
505	Rabba ...	44·94	Contains clay and is of inferior quality.
506	Near Yakudi	49·02	This contains much silica and is a low grade iron ore.
694	Between Aribi and Gatum.	56·73	This is an iron ore of excellent quality.
748	Between Nassarawa and Ruzu.	69·48	This is of excellent quality.

The iron ores of Bassa Province are represented by samples NnF 99 and NnF 107 in the foregoing table. The deposits are situated in the northern part of the province, and for the most part within moderate distances of the Niger or Benue rivers. They are described in the tenth interim report as local enrichments in the sandstone formation, and though widely distributed, are too sporadic in occurrence to be of much importance. NnF 99 is a fairly good ore, and though NnF 107 is highly siliceous and phosphatic, it could be smelted to yield a fairly satisfactory iron.

The ores of Kabba Province are represented by samples NnF 148 to NnF 293 in the foregoing table. They are either magnetites or limonites. The former are generally too siliceous to be used directly as iron ores, and like the similar ores now worked in Sweden and Norway, would require to be crushed, magnetically concentrated, and the concentrate briquetted before they could be smelted. It is doubtful whether this could be done at a profit in Northern Nigeria under present conditions. On the other hand the limonitic ores occurring at Akwi, Ojerami, and Jakura are fairly rich, the first two containing about 56 per cent., and the third about 54 per cent. of iron. These are all three good ores. The deposits are situated about 30 miles from the Niger, and according to Dr. Falconer's eleventh and twelfth interim reports can be quarried easily, so that they appear to be worth

attention as possibly suitable for export. From this point of view the chief factors will be the extent of the deposits and the cost of transport.

The country between Jakura and the Niger is hilly and difficult for transport, but that between Akwi and Ojerami and the Niger is flat, and a tramway or light railway could easily be built. As regards the extent of these deposits no information is available, but the prospects are promising enough to warrant a thorough investigation of the district to ascertain the area of the deposits.

Further samples of the ore obtainable at various points should also be selected with a view to determining how the ore in different parts of the deposit varies in composition.

Only one sample of iron ore, NnF 505, was received from Nupe Province, and this is of inferior quality. The deposits in Nassarawa are represented by samples NnF 506, NnF 694, and NnF 748. The first two are of inferior grade, but the third is a very pure rich ore containing nearly 70 per cent. of iron. The sample consisted only of a single pebble and nothing is known as to whether deposits of this quality exist.

It appears, therefore, that only the iron ore deposits of Southern Kabba are worth consideration for export purposes, and for the exploitation of the others, recourse must be had if possible to local smelting. Iron-smelting is carried on in a primitive manner in some parts of the Protectorate, but even with the present inadequate transport facilities the industry seems to be suffering from competition with imported iron of European or American origin, and as transport facilities improve, this competition will inevitably become keener and the native smelting industry may disappear, as it has already done in such countries as India, China, and Ceylon, unless protected by artificial restrictions on the import or use of foreign iron. It is, however, not at all certain that by the introduction of a better type of smelting furnace, the natives could not be taught to produce iron at least as cheaply as imported iron. Such procedure would be the means of supporting a native industry. This question is being considered in Uganda at present, and efforts are being made to devise an improved furnace for native use. If these experiments prove successful, something of the same kind might perhaps be attempted in Northern Nigeria, where there should be an important opening for such an industry in the demand for agricultural tools.

Concentrates containing Monazite.

Several hundred concentrates from river beds in the five provinces, Bassa, Kabba, Illorin, Nupe, and Nassarawa have been examined, and the results show that monazite is very widely distributed in the Protectorate.

The concentrates which have given the best results are grouped together in the following table:—

Number of Sample.	Locality.	Yield of concentrate from crude gravel.	Amount of thoria in concentrate.
NnF		Per cent.	Per cent.
166	River Odyoku, East of Atuka	0·42	1·34
206	Between Oka and Obba ...	0·06	3·45
209	Stream flowing East near Obba	0·02	3·85
212	Stream flowing East near Obba	0·03	3·37
305	Between Wa and Akpara ...	0·03	3·06
358	Between Muppa and Takete ...	0·009	3·60
367	Between Ogga and Egbe ...	0·016	0·52 and 6·7 per cent. of stannic oxide.
381	Between Kpanyon and Jeje ...	0·02	0·96

Of these concentrates, only those containing upwards of 3·3 per cent. of thoria are likely to be of commercial value, and it will be seen from the figures in the third column, which represent the yields of such concentrates from the crude gravel that the latter is very poor. Monazite is only being worked extensively at present in two localities, Brazil, and Carolina, U.S.A. In both these countries monazite occurs for the most part naturally concentrated, although in the Prado district of Brazil crude gravels are worked for monazite, but there it is not remunerative to work sand containing less than 2 per cent. of monazite, and this poorest material is far richer in monazite than anything so far found in Northern Nigeria. It should be borne in mind, however, that the deposits in Northern Nigeria have not been thoroughly explored, and that in a preliminary survey such as that made by the surveyors, the richest areas may well have been overlooked. The surveyors' work has, however, served to indicate the most promising localities, and it remains for further and more detailed investigation to show whether natural concentrations of monazite occur in these areas rich enough to repay exploitation.

Sample No. NnF 367 and other samples from the Gurara basin in Northern Nassarawa are of special interest as containing tinstone in addition to a small quantity of monazite, but here also the yield of concentrate is very small, and the amount of tinstone in the crude gravel is not more than 0·002 per cent. Probably the poorest tin-bearing gravel, which can be worked at a profit under present conditions is one containing 0·5 per cent. of tinstone, so that the crude gravel from which sample NnF 367 was prepared is not worth working for tinstone. But

in this case also, further detailed examination of the district may lead to the discovery of richer material, and the results now recorded are of interest as undoubtedly proving the occurrence of tinstone in these localities

Other Minerals.

Three samples of limestone, two from Igbo, NnF 133 and 134, and one from Jakura, NnF 294, were examined, and though these products are of no value for export, they are of interest as yielding on ignition, good lime suitable for making mortar for ordinary building purposes, or for use in agriculture None of the three samples yields a hydraulic lime on ignition, but they could all be used for making cement if a marl or clay suitable for combination with them can be found near at hand.

The only other minerals likely to be of economic importance are the kaolins, which are suitable for local use for the manufacture of coarse earthenware or bricks. The sample of kaolin, NnF 482a, from Illorin, is of interest in containing lead.

Specimens (NnF 95-138) Accompany the Tenth Interim Report.

For convenience of description these may be divided into two classes: (*a*) massive rocks and minerals, and (*b*) concentrates.

(a) *Massive rocks and minerals.*

NnF 96. "Ferruginous sandstone, Dekina."
,, 100. "Ferruginous grit, Jonga."
,, 101. "Gneiss and pegmatite, Etobi."
,, 102. "Micaceous pegmatite Etobi."
,, 108. "Pegmatite and tourmaline, Igbo."
,, 109. "Tourmaline, Igbo."
,, 110. "Pegmatite Igbo."
,, 112. "Quartz and epidote, Igbo."

The foregoing specimens though of scientific interest are of no direct economic value.

NnF 97. "*Clay, Dekina.*"—This is not a true clay, but a gritty loam, discoloured by ferric oxide. It is of no commercial value.

NnF 99. "*Limonite, Assadam.*"—This is a specimen of porous, reddish brown hydrated iron ore, apparently free from

gritty or sandy impurity. On analysis a representative sample of the material gave the following results:—

	Per cent.	
Ferric oxide, Fe_2O_3 ...	66·80	Equivalent to 47·3 per cent. of metallic iron.
Ferrous oxide, FeO ...	0·70	
Alumina, Al_2O_3	9·16	
Manganous oxide, MnO ...	0·03	
Lime, CaO	0·61	
Magnesia, MgO	0·26	
Titanium dioxide, TiO_2 ...	1·62	
Silica, SiO_2	10·58	
Phosphoric oxide, P_2O_5 ...	0·12	
Sulphur, S	0·08	
Combined Water, H_2O ...	8·77	
Moisture	0·86	

This is an iron ore of fair quality. The information given in the 10th interim report indicates that it is merely a local enrichment of the standstone, so that the quantity available must be small.

NnF 103.
,, 104.
,, 105.
,, 106.
} "*Mica from Etobi.*"

NnF 111. "*Mica from Igbo.*"

These five samples of mica are impure owing to admixture with quartz. The mica is of the muscovite variety, and is in the form of small plates. Such small or "scrap" mica is of very little commercial value, even when free from impurities, and this material contaminated with quartz would be unsaleable.

NnF 107. "*Limonite, Ogeni.*"—This is a specimen of brown impure limonite, somewhat resembling NnF 99, but it contains more siliceous impurity, mainly in the form of quartz grains. On analysis of a representative portion of this material, the following results were obtained:—

	Per cent.	
Ferric oxide, Fe_2O_3 ...	47·95	Equivalent to 33·9 per cent. of metallic iron.
Ferrous oxide, FeO ...	0·47	
Alumina, Al_2O_3	8·01	
Lime, CaO	0·19	
Magnesia, MgO	0·45	
Titanium dioxide, TiO_2 ...	1·29	
Silica, SiO_2	32·13	
Phosphoric oxide, P_2O_5 ...	1·19	
Sulphur, S	0·07	
Combined Water, H_2O ...	6·43	
Moisture	1·38	

This ore is of poorer quality than No. NnF 99, and is probably of little value even for local use as a source of iron, since in addition to being highly siliceous, it contains much phosphorus.

NnF 113 to 134. "*Crystalline limestones, Igbo.*"—These twenty-two samples are varieties of metamorphic limestone, and are chiefly of scientific interest in connection with the secondary silicates, which have been developed in them by metamorphism.

NnF 133 and 134 are large samples forwarded for chemical examination and technical trial. The former is a compact, gray, dolomitic limestone, containing some secondary silicates.

NnF 134 is a light coloured, dolomitic limestone also containing secondary silicates.

On analysis these two samples gave the following results:—

——	NnF 133.	NnF 134.
	Per cent.	Per cent.
Lime, CaO	33·34	37·44
Magnesia, MgO	16·02	11·48
Ferric oxide, Fe_2O_3	1·04	0·96
Alumina, Al_2O_3	2·39	3·39
Carbon dioxide, CO_2	40·58	39·86
Silica, SiO_2	5·20	5·10
Phosphoric oxide, P_2O_5	0·09	0·04
Combined water, H_2O	0·99	1·97
Moisture	0·22	0·06

There is little difference in the quality of these two limestones. The limes produced on ignition at 1,100° C. slake readily with water. The briquettes made from the lime pastes were exposed to damp air for three days and then allowed to stand in water for four days. They showed no tendency to disentegrate under the treatment, but did not harden, indicating that the lime possessed little hydraulicity. Both limes yielded "mortars" of good quality; that from NnF 133 was slightly better than that from NnF 134.

(b) *Concentrates.*

These are heavy residues obtained by washing the loose deposits (sands, &c.) in the beds of streams and rivers. The results of the mineralogical examination of the six samples forwarded are shown in the following table. The mark × indicates that the mineral named at the head of the column is present in the sample:—

Number.	Locality.	Weight of sample.	Magnetite.	Ilmenite.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	Staurolite	Spinel.
NnF		grms.									
95	River Dekina, Dekina..	3½	×	×	—	—	×	×	×	—	—
98	River Ofu, Assadam ..	29	—	×	—	—	×	×	×	×	—
135	River Rua, Bassa ..	3	—	×	—	×	×	×	×	×	—
136	River Shamagi, Bassa	2	—	×	×	×	×	×	×	—	×
137	River Amara	2¾	—	×	×	×	×	×	×	×	×
138	River Adeniya	2	—	×	×	×	×	×	×	—	×

Quartz and ilmenite are the chief constituents of these concentrates. The only mineral of economic value present is monazite, which occurs in traces in the last three. The deposits represented by these concentrates are not likely to yield material of commercial value.

Specimens (NnF 139–280) Accompanying the Eleventh Interim Report.

(a) *Massive rocks and minerals.*

NnF 144. "Hornblende schist, Ohakete."
,, 145. do. do. do.
,, 146. do. do. do.
,, 147. do. do. do.
,, 150. "Hornblende schist and magnetite, Okuruku."
,, 158. "Hornblende schist, Atuka."
,, 159. "Quartz-hornblende-biotite gneiss, Atuka."
,, 160. "Granitiferous gneiss, Atuka."
,, 161. "Granitiferous gneiss, Atuka."
,, 168. "Quartz garnet rock, west of Kuturu."

The above specimens are of scientific interest but have no direct economic value.

NnF 148-149. "*Magnetite, Okuruku.*"—These are specimens of quartz-magnetite rock; on analysis a representative sample of NnF 148 gave the following results:—

		Per cent.	
Ferric oxide, Fe_2O_3	...	42·88	Equivalent to 42·01 per cent. of metallic iron.
Ferrous oxide, FeO	...	15·43	
Silica, SiO_2 ...	...	37·69	

This indicates that the sample contains about 49·7 per cent. of magnetite and 8·5 per cent. of haematite. Ores of this description are now worked in Norway and Sweden, but are first crushed, then concentrated magnetically to remove quartz, and the resulting ore is briquetted before use. As, however, the operations require extensive plant, which can only be worked successfully by skilled labour, it is not likely that these ores can be worked in Northern Nigeria under present conditions.

NnF 169-170. "*Quartz-haematite rock, Anom.*"—These samples consisted of a foliated rock, containing quartz and haematite with a small amount of magnetite.

On analysis of NnF 169 the following results were obtained:

		Per cent.	
Ferrous oxide, FeO	...	1·94	Equivalent to 56·39 per cent. of metallic iron.
Ferric oxide, Fe_2O_3	...	78·41	
Silica, SiO_2 ...	...	16·87	

This ore contains a rather high percentage of silica, but would probably be suitable for smelting without preliminary treatment.

NnF 178. "*Limonite, Akwi.*"—NnF 182. "*Limonite, Ojerami.*"—These are dark brown massive hydrated iron ores, the principal constituent of which is göthite, and are practically free from gritty impurity.

On analysis the following results were obtained:—

——	NnF 178.	NnF 182.
	Per cent.	Per cent.
Iron, Fe	56·61	55·87
Silica, SiO_2	2·64	0·89

These are both iron ores of excellent quality, and it is mentioned in the interim report that the natives prefer them to the magnetite-haematite schists (*e.g.*, NnF 169) for the manufacture of iron,

(b) *Concentrates.*

Results of Mineralogical Examination.

The mark × indicates that the mineral named at the head of the column is a constituent of the concentrate.

Number.	Locality.	Weight of specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	—
NnF		grms.											
139	Near Kabaji market, Kabba	30	×	×	—	×	—	—	×	×	×	×	
140	Near Ohakete, Kabba.	28	×	×	—	×	—	—	—	—	×	×	
141	Near Bangede, Kabba.	43	×	×	×	×	—	—	—	—	×	×	
142	River Meadow-banks, Kabba.	282	×	×	×	×	—	—	—	—	×	×	
143	Stream N.E. of Okuruku, Kabba.	67½	×	×	—	×	—	×	—	—	×	×	
151	N. slope of Atuka Hill, Kabba.	83½	×	×	×	×	—	×	×	—	×	×	
152	Do. do.	41	×	×	×	×	—	×	×	—	×	×	
153	Do. do.	48	×	×	×	×	—	×	×	—	×	×	
154	Do. do.	21	×	×	×	×	—	×	×	—	×	×	
155	Do. do.	26½	×	×	×	×	—	×	—	—	×	×	
156	W. of Kuturu Hill, Kabba.	5	×	×	×	×	—	—	×	—	×	×	
157	Soso Road, 1 hour from Adele.	167¾	×	×	×	×	—	—	—	—	×	×	
162	N.E. slope, Atuka Hill, Atuka.	47	×	×	×	×	—	×	—	—	×	×	Also sillimanite.
163	E. slope, Atuka Hill, Atuka.	98½	×	×	×	×	—	×	—	—	×	×	Also sillimanite.
164	Do. do.	25¼	×	×	×	×	—	×	—	—	×	×	
165	River Odyoku, E. of Atuka.	63½	×	×	×	×	—	×	—	—	×	×	Also sillimanite.
166	Do. do.	231½	×	×	×	×	—	×	—	—	×	×	Also sillimanite.
167	Foot of Yambai Hill, S.E. of Atuka.	10	×	×	×	×	—	×	—	—	×	×	Also sillimanite.
171	Stream at Anom ..	54¼	×	×	×	×	—	—	—	—	×	×	
172	Lokoja Road, near Osungwo.	10	×	×	×	×	—	×	—	×	×	×	
173	River Osungwo ..	38	×	×	×	×	—	—	—	—	×	×	
174	River Okuruku ..	19⅛	×	×	×	×	—	—	—	—	×	×	
175	Streams between 1 Okeli and Gore	30	×	×	×	×	×	×	—	—	×	×	
176	Do. do. 2	55¾	×	×	×	×	×	—	—	—	×	×	
177	Do. do. 3	15	×	×	—	×	—	—	—	—	×	×	
179	River Oja	13½	×	×	—	—	×	—	×	—	×	×	
180	Half-way between Oja and Ojerami.	3¼	×	—	×	×	×	—	—	—	×	×	
181	River Ojerami ..	24½	×	×	×	×	×	—	—	—	×	×	
183	Between Ojerami 1 and Ogenne	7	×	×	×	×	×	—	×	—	×	×	
184	Do. do. 2	9¼	×	×	×	×	×	—	×	—	×	×	Also staurolite.
185	Do. do. 3	1	×	—	—	×	×	—	×	—	×	×	
186	Do. do. 4	4⅛	×	—	—	×	×	—	×	—	×	×	Also biotite.
187	Do. do. 5	4⅛	×	×	×	×	×	—	×	—	×	×	Also biotite.

Number.	Locality.	Weight of specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	—
		grms.											
188	Between Ojerami and Ogenne. 6	¾	×	×	×	×	×	—	×	—	×	×	
189	Do. do. 7	½	×	—	×	×	×	—	×	—	×	×	Also biotite and staurolite.
190	Between Ogenne and Eboni 1	2	×	×	×	×	×	—	×	×	×	×	
191	Do. do. 2	3¼	×	×	—	×	×	×	×	×	×	×	
192	Do. do. 3	4½	×	×	×	×	×	—	—	×	×	×	
193	Do. do. 4	1¾	×	×	×	×	×	×	×	×	×	×	
194	Do. do. 5	16½	×	×	×	×	×	—	×	×	×	×	
195	Do. do. 6	35½	×	×	×	×	×	—	×	×	×	×	
196	Between Eboni and Oka 1	85¾	×	×	—	×	—	—	—	—	×	×	
197	Do. do. 2	79	×	×	—	×	—	—	×	×	×	×	
198	Do. do. 3	27	×	×	—	×	—	—	×	×	×	×	
199	Do. do. 4	20	×	×	×	×	—	—	×	—	×	×	
200	Do. do. 5	17	×	×	—	×	—	—	×	—	×	×	
201	Between Oka and Obba 1	10½	×	×	×	×	—	—	—	—	×	×	
202	Do. do. 2	23	×	×	×	×	×	—	—	—	×	×	
203	Do. do. 3	18¼	×	×	×	×	—	×	—	×	×	×	
204	Do. do. 4	6¼	×	×	×	×	×	×	—	×	×	×	
205	Do. do. 5	2½	×	×	×	×	—	×	—	—	×	×	
206	Do. do. 6	21	×	×	×	×	—	×	—	—	×	×	Yield of concentrate from the crude gravel about 0·064 per cent.
207	Between Obba and Sequerre 1	6½	×	×	×	×	×	—	-	—	×	×	
208	Do. do. 2	22½	×	×	×	×	×	—	—	×	×	×	
209	Stream flowing E., near Obba. 1	4½	×	×	×	×	×	×	—	×	×	×	Yield of concentrate from crude gravel about 0·02 per cent.
210	Do. do. 2	6½	×	×	×	×	×	×	—	—	×	×	
211	Do. do. 3	2¼	×	×	×	×	×	×	—	—	×	×	
212	Do. do. 4	5½	×	×	×	×	×	×	—	—	×	×	Yield of concentrate from crude gravel about 0·03 per cent.
213	Do. do. 5	2½	×	×	×	×	×	×	—	—	×	×	
214	Stream flowing W. near Obba. 1	2¾	×	×	×	×	×	×	—	—	×	×	
215	Do. do. 2	4	×	×	×	×	×	×	—	—	×	×	
216	Between Sequerre and Oka. 1	4½	×	×	×	×	—	×	—	—	×	×	
217	Do. do. 2	8	×	×	—	×	—	×	—	—	×	×	
218	Do. do. 3	18¼	×	×	×	×	—	×	—	—	×	×	
219	Do. do. 4	24¼	×	×	×	×	—	×	—	—	×	×	
220	Do. do. 5	18	×	×	×	×	—	×	—	—	×	×	

Number.	Locality.		Weight of specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz	—
			grms.											
221	Between Sequerre and Oka.	6	20¼	×	×	×	×	—	×	—	—	×	×	
222	Do. do.	7	448½	×	×	—	×	—	×	×	—	×	×	
223	Stream at Sequerre		14½	×	×	×	×	×	×	—	—	×	×	
224	Between Sequerre and Arrigiddi.	1	2¼	×	×	×	×	×	×	—	—	×	×	
225	Do. do.	2	47¾	×	×	×	×	—	×	—	—	×	×	
226	Do. do.	3	2¾	×	×	×	×	—	×	—	—	×	×	
227	Do. do.	4	11½	×	×	×	×	—	×	—	—	×	×	
228	Do. do.	5	6¼	×	×	×	×	—	×	—	—	×	×	
229	Do. do.	6	8½	×	×	×	×	—	×	—	—	×	×	
230	Do. do.	7	9	×	×	×	×	—	×	—	—	×	×	
231	Do. do.	8	8	×	×	×	×	—	×	—	—	×	×	
232	Do. do.	9	21	×	×	×	×	—	×	—	—	×	×	
233	Do. do.	10	3¼	×	×	×	×	—	×	—	×	×	×	
234	Do. do.	11	25	×	×	×	×	—	×	—	—	×	×	
235	Do. do.	12	15½	×	×	×	×	—	×	—	—	×	×	
236	Do do.	13	49½	×	×	×	×	—	×	—	—	×	×	
237	Do. do.	14	21	×	×	×	×	—	×	—	—	×	×	
238	Between Arrigiddi and Effifa.	1	20½	×	×	×	×	×	×	—	—	×	×	
239	Do. do.	2	8	×	×	×	×	—	×	—	—	×	×	
240	Do. do.	3	11	×	×	×	×	—	×	—	—	×	×	
241	Do. do.	4	149½	×	×	—	×	—	×	—	—	×	×	
242	Do. do.	5	12½	×	×	—	×	—	×	—	—	×	×	
243	Do. do.	6	10¼	×	×	×	×	—	—	—	—	×	×	
244	Do. do.	7	21¾	×	×	×	×	—	×	—	—	×	×	
245	Between Effifa and Kabba.	1	—	×	×	×	×	—	—	—	—	×	×	
246	Do. do.	2	—	×	×	×	×	—	—	—	—	×	×	
247	Do. do.	3	—	×	×	—	×	—	—	—	—	×	×	
248	Do. do.	4	—	×	×	—	×	—	—	—	—	×	×	
249	Do. do.	5	—	×	×	—	×	—	—	—	—	×	×	
250	Do. do.	6	—	×	×	—	×	—	—	—	—	×	×	
251	Do. do.	7	—	×	×	—	×	—	—	—	—	×	×	
252	Do. do.	8	—	×	×	—	×	—	—	—	—	×	×	
253	Do. do.	9	—	×	×	—	×	—	—	—	—	×	×	
254	Do. do.	10	—	×	×	—	×	—	—	—	—	×	×	
255	Do. do.	11	—	×	×	—	×	—	—	—	—	×	×	
256	Do. do.	12	—	×	×	—	×	—	—	—	—	×	×	
257	Between Kabba and Oduape.		48½	×	×	×	×	—	×	×	—	×	×	
258	Between Oduape and Aleppa	1	2½	×	×	—	×	—	×	×	—	×	×	
259	Do. do.	2	2¾	×	×	—	×	×	×	×	—	×	×	

Number.	Locality.	Weight of specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	—
		grms.											
260	Between Oduape and Aleppa. 3	1½	×	×	×	×	—	×	—	—	×	×	
261	Do. do. 4	5½	×	×	—	×	×	×	—	—	×	×	
262	Do. do. 5	7½	×	×	×	×	×	×	—	—	×	×	
263	Do. do. 6	3½	×	×	×	×	×	—	—	—	×	×	
264	Do. do. 7	3½	×	×	×	×	×	—	—	—	×	×	
265	Do do. 8	3½	×	×	×	×	×	—	—	—	×	×	
266	Do. do. 9	9½	×	×	×	×	×	—	×	—	×	×	
267	Do. do. 10	4½	×	×	×	×	×	—	—	—	×	×	
268	Between Aleppa and Lokoja 1	8	×	×	—	×	×	—	—	—	×	×	
269	Do. do. 2	1½	×	×	—	×	—	—	—	—	×	×	
270	Do. do. 3	13½	×	×	×	×	×	×	—	—	×	×	
271	Do. do. 4	26½	×	×	×	×	×	×	—	×	×	×	
272	Do. do. 5	12½	×	×	×	×	×	×	—	×	×	×	Also sillimanite.
273	Do. do. 6	19	—	×	×	×	×	×	—	×	×	×	Also sillimanite.
274	Do. do. 7	7	—	×	×	×	×	×	—	×	×	×	Also sillimanite and spinel.
275	Do. do. 8	26½	×	×	×	×	—	×	—	×	×	×	Also sillimanite.
276	Do. do. 9	3½	×	×	×	×	—	×	—	×	×	×	Also sillimanite.
277	Do. do. 10	5½	×	×	×	×	—	×	—	×	×	×	Also sillimanite.
278	Do. do. 11	2½	×	×	×	×	—	×	—	—	×	×	Also sillimanite.
279	Do. do. 12	14½	×	×	×	×	—	×	—	×	×	×	
280	Do. do. 13	51	×	×	×	×	×	×	×	×	×	×	Also sillimanite.

These concentrates vary considerably in composition; some are black and others are light-coloured according to the relative abundance of magnetite or ilmenite on the one hand and quartz or zircon on the other. In some cases magnetite is the chief constituent; thus in NnF 232 and 268 half the concentrate consists of magnetite, whilst in many other instances a considerable amount of this mineral is present. In almost all cases ilmenite is present, sometimes in large quantity.

Monazite is present in most of these concentrates, usually, however, only in small quantities. In specimens NnF 162-167 the amount ranges from about 3 to 22 per cent., NnF 206 contains about 50 per cent., NnF 209 about 60 per cent., and NnF 272 about 20 per cent.

The monazite present in the Atuka and Odyoku sands is exceptional in occurring as black grains. Samples Nos. NnF 166, 206, 209, 212, 231, 270, and 272 were selected as typical of the whole for chemical analysis.

NnF 166. *From the River Odyoku, east of Atuka.*—Analysis showed that this sample contained 1·34 per cent. of thoria; equivalent to about 22 per cent. of monazite.

NnF 206. *Collected between Oka and Obba.*—This sample was not well concentrated and contained a considerable amount of quartz sand. An analysis gave the following results:—

	Per cent.	
Thoria, ThO_2	3·45	Equivalent to over 50 per cent. of monazite.
Cerium and allied oxides, Ce_2O_3, &c.	32·47	
Tin oxide, SnO_2	nil.	

NnF 209. *Collected from a stream flowing east near Obba.*—This sample was fairly well concentrated. The predominant minerals are monazite and ilmenite.

The sample gave the following results on analysis:—

	Per cent.	
Thoria, ThO_2	3·85	Equivalent to about 60 per cent. of monazite.
Cerium and allied oxides, Ce_2O_3 &c.	38·60	
Tin oxide, SnO_2	nil.	

NnF 212. *Collected near Obba from a stream flowing east.*—This sample is not well concentrated and contains much quartz sand. Monazite and ilmenite are the predominant heavy minerals. Analysis showed that the sample contained 3·37 per cent. of thoria equivalent to over 50 per cent. of monazite.

NnF 231. *Collected between Sequerre and Arrigiddi.*—This sample is not well concentrated, and contains a rather large proportion of quartz sand. Analysis showed that it contained 1·34 per cent. of thoria, equivalent to about 20 per cent. of monazite.

NnF 270. *Collected between Aleppa and Lokoja.*—This sample is fairly well concentrated. The predominant minerals are ilmenite, quartz, and garnet. A sample on analysis gave the following results:—

	Per cent.
Thoria, ThO_2	0·31
Cerium and associated oxides, Ce_2O_3 ...	2·62
Stannic oxide, SnO_2	nil.

These results indicate the presence of only 4 per cent. of monazite.

NnF 272. *Collected between Aleppa and Lokoja.*—The sample is fairly well concentrated. The predominant heavy

minerals are monazite and ilmenite. Analysis shows that the sample contains 1·30 per cent. of thoria, equivalent to about 20 per cent. of monazite.

SPECIMENS (NnF 281–395) ACCOMPANYING THE TWELFTH INTERIM REPORT.

(a) *Massive rocks and minerals.*

NnF 295. "Muscovite schist, Wa."
,, 296. "Muscovite-magnetite pegmatite, Wa."
,, 297. }
,, 298. } "Muscovite pegmatite, Wa."
,, 299. }
,, 300. "Muscovite schist, road between Jakura and Wa."
,, 301. "Schistose conglomerate, about half-way between Jakura and Wa."
,, 302. "Magnetite-quartz rock, between Jakura and Wa."
,, 395. "Amphibolites, Eri."

The above specimens are of no direct economic interest.

NnF 293. "*Limonite, Jakura.*"—This is a specimen of brown, pisolitic, and hydrated iron ore, free from sandy and gritty impurities. A portion of the sample was submitted to partial analysis and gave the following results:—

	Per Cent.
Iron, Fe	53·13
Silica, SiO_2	5·38

This is a typical brown iron ore of good quality.

NnF 294. "*Calcite vein, between Jakura and Wa.*"—This is a specimen of white crystalline limestone. It contains a few very small plates of graphite, disseminated throughout its mass. On analysis the following results were obtained:—

	Per cent.
Lime, CaO	54·54
Magnesia, MgO	0·28
Ferric oxide, Fe_2O_3 } Alumina, Al_2O_3 }	0·38
Silica, SiO_2	0·53
Carbon dioxide, CO_2	43·79
Water	0·50

This is a very pure limestone and yields excellent quicklime when burnt.

(b) *Concentrates.*

The following table gives the results of the mineralogical examination of these samples. The mark x indicates that the mineral named at the head of the column is a constituent of the sample:—

Number.	Locality.	Weight of Specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	Staurolite.	Sillimanite	—
NnF		grms.													
281	Between Filelin and Abaja. 1	9½	×	×	×	×	—	×	—	—	×	×	—	—	
282	Do. do. 2	7¾	×	×	×	×	—	×	—	—	×	×	—	—	Also pyroxene.
283	Do. do. 3	7¾	×	×	—	—	×	×	×	—	×	×	—	—	
284	Between Abaja and Jakura. 1	3	×	×	—	—	×	×	—	—	×	×	—	—	Also spinel.
285	Do. do. 2	5½	×	×	×	×	×	×	×	—	×	×	—	—	Also spinel.
286	Do. do. 3	9	×	×	—	×	—	×	×	—	×	×	—	—	
287	Do. do. 4	8	×	×	×	×	×	—	×	—	×	×	—	—	
288	Between Jakura and Wa. 1	3	×	×	×	×	×	—	—	×	×	×	—	—	
289	Do. do. 2	6	×	×	×	—	×	—	×	×	×	×	—	—	
290	Do. do. 3	7	×	×	×	×	×	—	×	—	×	×	×	—	
291	Do. do. 4	15	×	×	×	—	×	—	×	—	×	×	×	—	
292	Do. do. 5	12½	×	×	×	×	×	-	×	×	×	×	—	—	
303	Between Wa and Akpara. 1	6½	×	×	×	×	×	×	×	×	×	×	-	—	
304	Do. do. 2	6¾	×	×	—	×	—	×	×	—	×	×	—	—	
305	Do. do 3	24	—	×	—	—	—	×	—	—	×	×	—	—	Yield of concentrate fromcrude gravel is about 0·03 per cent
306	Do. do. 4	7¾	×	×	—	—	×	×	—	—	×	×	—	—	
307	Do. do. 5	4½	×	×	—	—	×	×	×	—	×	×	—	—	
308	Do. do. 6	19	×	×	—	—	—	—	—	—	×	×	×	—	
309	Do. do. 7	3	×	×	—	—	—	—	×	×	×	×	—	—	
310	Between Akpara and Sura. 1	4½	×	×	—	—	×	—	×	×	×	×	—	—	
311	Do. do 2	33	×	×	×	—	—	×	—	×	×	×	—	×	Also pyroxene.
312	Do. do. 3	23½	—	×	×	—	×	×	×	×	×	×	—	—	
313	Do. do. 4	4¾	—	×	×	—	×	—	×	×	×	×	—	—	
314	Do. do. 5	5¾	—	×	×	—	×	—	×	×	×	×	—	—	
315	Do. do. 6	3½	—	×	×	—	×	—	×	×	×	×	—	—	
316	Do. do. 7	19½	—	×	×	—	—	×	×	×	×	×	—	—	
317	Do. do. 8	5½	—	×	×	×	—	×	×	×	×	×	—	—	
318	Between Sura and Oferre. 1	49¾	—	×	×	×	—	×	×	—	—	×	×	—	
319	Do. do. 2	3½	—	×	×	×	—	×	×	—	—	×	×	—	
320	Do. do. 3	111½	—	×	×	—	—	—	×	—	×	×	×	—	

Number.	Locality.		Weight of Specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	Staurolite.	Sillimanite.	—
NnF			grms.													
321	Between Oferre and Shale.	1	5¾	—	×	×	×	—	—	×	—	—	×	×	—	
322	Do. do.	2	12½	—	×	×	—	—	—	—	—	—	×	×	—	
323	Do. do.	3	8¾	—	×	×	×	×	—	×	—	×	×	×	—	Also spinel.
324	Do. do.	4	12	×	×	×	×	×	—	×	—	×	×	×	—	Also spinel.
325	Between Shale and Kosobeji.	1	21½	—	×	×	×	—	×	—	×	×	×	—	—	
326	Do. do.	2	8	×	×	—	—	—	×	×	×	×	×	×	—	
327	Between Kosobeji and Kusoti.	1	19¼	—	×	×	—	—	×	—	×	×	×	×	—	
328	Do. do.	2	38¾	×	×	×	×	—	×	×	—	×	×	×	×	
329	Do. do.	3	69¼	—	×	×	—	—	×	—	—	×	×	×	—	
330	Between Kusoti and Pateji.	1	6	—	×	—	—	—	×	—	—	×	×	—	—	
331	Do. do.	2	10½	—	×	—	—	—	×	—	—	×	×	×	—	
332	Do. do.	3	2¼	—	×	—	—	—	×	×	—	×	×	×	—	
333	Do. do.	4	12½	×	×	—	—	—	×	×	—	×	×	×	—	
334	Between Pateji and Egboro.		26¼	—	×	—	—	—	×	×	—	×	×	×	—	
335	Between Egboro and Eri.	1	5½	×	×	×	×	—	×	—	—	×	×	×	—	
336	Do. do.	2	25½	×	×	×	×	—	×	×	—	×	×	—	—	
337	Do. do.	3	30½	—	×	×	×	—	×	—	—	×	×	—	×	
338	Do. do.	4	18¼	—	×	×	×	—	×	—	×	×	×	—	×	
339	Do. do.	5	72	×	×	×	×	—	×	—	—	×	×	—	×	
340	Do. do.	6	27½	×	×	×	×	—	×	×	—	×	×	—	×	
341	Do. do.	7	48¾	×	×	×	×	—	×	×	—	×	×	—	×	
342	Do. do.	8	19¾	—	×	×	×	—	—	×	—	×	×	—	×	
343	Do. do.	9	16½	—	×	—	—	—	×	×	—	×	×	—	—	
344	Do. do.	10	23¼	—	×	—	—	—	×	×	—	×	×	—	×	
345	Do. do.	11	21¾	—	×	×	×	—	×	—	—	×	×	—	×	
346	Between Eri and Odofin.	1	12	—	×	×	—	—	×	×	—	×	×	×	×	
347	Do. do.	2	14½	×	×	×	×	—	×	—	—	×	×	×	×	
348	Do. do.	3	23½	—	×	×	×	—	×	—	—	×	×	×	×	
349	Do. do.	4	18¾	—	×	×	×	—	×	—	—	×	×	×	×	
350	Between Odofin and Sanlu.	1	69½	—	×	×	—	×	×	—	—	×	×	—	×	
351	Between Sanlu and Moppa.	1	5¾	—	×	×	—	—	—	—	—	×	×	—	×	
352	Do. do.	2	6¼	—	×	×	×	—	—	×	—	×	×	×	—	
353	Do. do.	3	12¾	—	×	×	—	×	×	×	—	×	×	×	—	
354	Do. do.	4	22½	—	×	×	×	×	×	—	—	×	×	—	—	
355	Do do.	5	15	—	×	×	×	—	—	—	—	—	×	—	—	
356	Do. do.	6	8¼	×	×	×	×	—	—	—	—	×	×	—	—	
357	Between Moppa and Takete.	1	2½	—	×	×	×	—	—	×	—	×	×	—	—	
358	Do. do.	2	3½	—	×	×	×	—	×	—	×	×	×	—	—	Yield of concentrate is about 0·009 per cent.

Number.	Locality.	Weight of Specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	Staurolite.	Sillimanite.	
NnF		grms.													
359	Between Moppa and Takete. 3	6½	—	×	×	×	—	×	—	—	×	×	—	×	
360	Between Takete and Ogga.	14½	—	×	×	×	—	×	—	—	×	×	—	×	
361	Between Kabba and Ikinre. 1	122¾	×	×	×	—	—	—	—	×	×	×	—	—	
362	Do. do. 2	123¼	×	×	—	—	—	—	—	×	×	×	—	—	
363	Do. do. 3	¼	—	×	—	×	—	×	×	×	×	×	—	—	
364	Do. do. 4	1	—	×	—	×	×	×	—	—	×	×	—	—	
365	Do. do. 5	½	—	×	—	×	—	×	—	×	×	×	—	—	
366	Between Ogga and Egbe. 1	85	×	×	×	×	—	×	—	—	×	×	—	×	
367	Do. do. 2	7¼	—	×	×	×	—	×	—	×	×	×	—	×	Alsotinstone. Yield of concentrate is about 0·016 per cent.
368	Do. do. 3	10¼	×	×	×	×	—	—	—	×	×	×	—	×	
369	Do. do. 4	18½	×	×	×	×	—	—	—	—	×	×	—	×	
370	Do. do. 5	59¾	×	×	×	×	—	×	—	—	×	×	×	×	
371	Between Ikinre and Gashi. 1	5	×	×	—	—	—	—	—	—	×	×	—	—	
372	Do. do. 2	¼	×	×	—	×	×	—	—	—	×	×	—	—	
373	Do. do. 3	1½	×	×	—	×	×	—	—	—	—	×	—	—	
374	Between Gashi and Omuo. 1	7	×	×	×	×	—	×	—	×	×	×	—	—	
375	Do. do. 2	1½	×	×	×	×	—	×	—	—	×	×	—	—	Also pyroxene.
376	Do. do. 3	2¾	×	×	×	×	—	×	—	—	×	×	—	—	
377	Do. do. 4	1½	×	×	×	×	—	×	—	—	×	×	—	—	
378	Streams at Kponyon. 1	24	×	×	×	×	—	×	×	×	×	×	—	×	
379	Do. do. 2	44¼	×	×	×	×	—	×	—	—	×	×	—	×	
380	Between Kponyon and Jeje. 1	74¼	×	×	×	×	—	×	—	—	×	×	—	×	
381	Do. do. 2	7½	—	×	×	—	×	×	—	—	×	×	—	×	Yield of concentrate is about 0·02 per cent.
382	Between Egberi and Aiede. 1	4½	×	×	×	×	—	—	—	—	×	×	—	—	
383	Do. do. 2	8¾	×	×	×	×	—	—	—	—	×	×	—	—	
384	Do. do. 3	¾	×	×	×	×	×	×	—	—	×	×	—	—	
385	Do. do. 4	5	—	×	×	×	—	—	—	—	—	×	—	—	
386	Do. do. 5	1¼	—	×	—	×	—	—	—	—	×	×	—	—	
387	Do. do. 6	½	×	×	×	×	×	×	—	—	×	×	—	—	
388	Between Aiede and Eruku. 1	2½	×	×	×	×	—	—	—	—	×	×	—	—	
389	Do. do. 2	4¼	×	×	×	×	—	—	—	—	×	×	—	—	Also pyroxene.
390	Do. do. 3	¾	×	×	×	×	—	×	—	—	×	×	—	—	
391	Do. do. 4	3¾	×	×	×	—	—	×	—	—	×	×	—	×	
392	Do. do. 5	2	×	×	—	—	×	×	—	—	×	×	—	—	
393	Between Egbi and Eruku. 1	2½	—	×	×	—	×	×	—	—	×	×	—	—	
394	Do. do. 2	28¾		×		×	—	×	—	—	×	×	—	×	

These concentrates, from Northern Kabba and Eastern Illorin, resemble, on the whole, those from Southern Kabba (p. 13). Magnetite is somewhat less abundant, but in many cases it amounts to from 15 to 30 per cent. of the concentrate. Monazite is also prevalent, though usually in small quantities. In NnF 305, however, there is rather over 50 per cent., in NnF 358 about 55 per cent., and in NnF 381 about 40 per cent. The most interesting of this group of concentrates is NnF 367 from Eastern Illorin, which contains about 7 per cent. of tinstone. This is the only concentrate from the whole of the samples collected in Kabba and Illorin, which contains tinstone. Of this group of concentrates the following were selected for chemical examination as typical of the whole.

NnF 305. *Collected between Wa and Akpara.*—The predominant heavy minerals are monazite, ilmenite, and garnet. Analysis showed that the sample contained 3·06 per cent. of thoria representing slightly over 50 per cent. of monazite.

NnF 339. *Collected between Egboro and Eri.*—The predominant minerals are ilmenite and garnet. Analysis showed that the sample contained only 0·11 per cent. of thoria.

NnF 350. *Collected between Odofin and Sanlu.*—The predominant minerals are monazite, ilmenite, and garnet. Analysis showed that the sample contained 0·86 per cent. of thoria which is equivalent to about 15 per cent. of monazite.

NnF 358. *Collected between Moppa and Takete.*—This sample is not well concentrated. Monazite is the predominant mineral. Analysis showed that the sample contained 3·60 per cent. of thoria, representing about 55 per cent. of monazite.

NnF 367. *Collected between Ogga and Egbe.*—This sample is well concentrated. Ilmenite is the predominant mineral present. On analysis the following results were obtained:—

	Per cent.
Stannic oxide, SnO_2	6·74
Cerium, Thorium Oxides, Ce_2O_3, ThO_2 etc.	0·52

This sample contains nearly 7 per cent. of tinstone.

NnF 380. *Collected between Kponyon and Jeje.*—The predominant minerals in this sample are ilmenite, monazite, and garnet. Analysis showed that the specimen contained 0·96 per cent. of thoria. This is equivalent to 15 per cent. of monazite.

NnF 381. *Collected between Kponyon and Jeje.*—This sample contains more monazite than sample NnF 380. On analysis the following results were obtained:—

	Per cent.	
Thoria, ThO_2	1·85	Equivalent to about 40 per cent of monazite.
Cerium and allied oxides, CeO_3, &c.	25·63	
Stannic oxide, SnO_2 ...	trace	

Specimens (NnF 396 to 526) Accompanying the Thirteenth Interim Report.

(a) *Massive rocks and minerals.*

NnF 414. "Granulite, Okeyon Hills."
,, 415. "Quartz schist, Okeyon Hills."
,, 416. "Amphibolite, near River Awere, between Aietu and Babanla."
,, 426. "Quartz-hornblende rock, between Babanla and Shagbeogede."
,, 427. "Biotite granite, Oke Ode."
,, 428. "Pegmatite, Oke Ode."
,, 429. "Granatoid gneiss, Oke Ode."
,, 437. "Amphibolite, Famole."
,, 438. "Gneiss, Share."
,, 440. "Pebbly sandstone, Share."
,, 441. "Ferruginous grit, near Share."
,, 443. "Felspathic sandstone, Kosobeji."
,, 480. "Mica schist, Illorin."
,, 481. "Biotite gneiss, Illorin."
,, 482. "Tourmaline pegmatite, Illorin."
,, 500. "Granite, between Aribi and Ailekun."
,, 501. "Amphibolite, between Ailekun and Buda."
,, 502. "Granulite, near Ajidungari."
,, 503. "Quartzite, Jebba."
,, 507. "Feruginous grit, Wuya."

The above specimens are not of direct economic interest, and need not be further described.

NnF 439. "*Kaolin, Share.*"—This specimen has the appearance of a decomposed haplite. It contains a large amount of siliceous impurity, chiefly quartz, but muscovite mica and a little tourmaline are also present.

NnF 442. "*Limonite pebbles, near Share.*"—This specimen consists of a few small pebbles impregnated with grains of sand and grit. On partial analysis a sample gave the following results:—

	Per cent.
Iron, Fe	43·31
Silica, SiO_2	10·87

From the appearance of the sample, it appears likely that the deposit would yield iron ore of variable quality and liable to contain considerable quantities of silica. The rocks from which the material is derived appear to be widely distributed in the Province, and may contain deposits of iron ore of some importance.

NnF 482A. "*Clay, Illorin.*"—This is a specimen of slightly calcareous clay, containing a certain amount of fine sand

together with some coarser rock particles. A sample, on analysis, gave the following results:—

	Per cent.
Silica, SiO_2	61·48
Alumina, Al_2O_3	18·18
Ferric oxide, Fe_2O_3	5·55
Ferrous oxide, FeO	0·69
Titanic oxide, TiO_2	trace
Lime, CaO	0·71
Magnesia, MgO	0·62
Lead oxide, PbO...	1·43
Potash, K_2O	0·15
Soda, Na_2O	0·30
Carbon dioxide, CO_2	1·41
Water, H_2O	9·07

This clay gives a plastic paste with water, and on firing assumes a reddish buff colour. It would be suitable for the local manufacture of common earthenware or bricks.

The sample is of some interest on account of the small amount of lead oxide it contains.

NnF 504. "*Arenaceous ironstone, Rabba.*"—This is a specimen of pisolitic iron ore, impregnated with grains of sand and grit. It is too impure to be of value as an iron ore.

NnF 505. "*Limonite pebbles, Rabba.*"—This sample consists of three fragments of purplish, hydrated ferric oxide. On analysis it gave the following results:—

	Per cent.
Iron, Fe	44·94
Silica, SiO_2	14·95

This appears to be an argillaceous specimen, since on treatment with acids it leaves a residue of clay. It is of inferior quality as an iron ore.

NnF 506. "*Ironstone, near Yakudi.*"—This is a specimen of porous and concretionary hydrated iron ore, with a small amount of earthy impurity and practically free from sand and grit. On partial analysis it gave the following results:—

	Per cent.
Iron, Fe	49·02
Silica, SiO_2	10·85

This would be classed as a low grade iron ore.

(b) *Concentrates.*

The results of the mineralogical examination of these samples are given in the following table. The mark "x" indicates that the mineral named at the head of the column is a constituent of the sample.

Number.	Locality.		Weight of Specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	Staurolite.	Sillimanite.	—
NnF.			grms.													
396	Between Eruku and Okokwe.	1	7¼	×	×	×	×	×	—	—	—	×	×	—	—	
397	Do. do.	2	2¼	×	×	—	×	×	—	—	—	×	×	—	×	
398	Between Oko'kwe and Oku.		17½	×	×	—	×	—	—	—	—	×	×	—	—	
399	Between Eruku and Odofin.	1	15½	×	×	×	×	—	×	—	—	×	×	—	—	
400	Do. do.	2	60¼	×	×	×	×	—	—	—	×	×	×	—	—	
401	Do. do.	3	9	×	×	—	×	—	—	×	—	×	×	—	—	
402	Between Oku and Oderu.	1	1	×	×	—	—	—	—	—	—	×	×	—	—	
403	Do. do.	2	5½	×	×	—	—	—	×	—	—	×	×	—	—	
404	Do. do.	3	1	×	×	—	×	—	×	—	—	×	×	—	—	
405	Between Idofin and Okodabu.	1	5½	×	×	×	×	—	—	—	—	×	×	—	—	
406	Do. do.	2	5¾	×	×	×	×	—	—	—	—	×	×	—	—	
407	Do. do.	3	38½	×	×	×	×	—	×	—	×	×	×	—	—	
408	Between Oderu and Alabi.	1	7	×	×	×	×	—	—	—	—	×	×	—	—	
409	Do. do.	2	1½	×	×	×	×	—	—	—	—	—	×	—	—	
410	Do. do.	3	¼	×	×	—	×	—	—	—	—	×	×	—	—	
411	Do. do.	4	1¾	—	×	—	×	—	×	—	—	×	×	—	—	
412	Aietu westwards	1	25¾	×	×	×	×	—	×	—	—	×	×	—	—	Also spinel.
413	Do. do.	2	13¾	×	×	×	—	—	×	×	×	×	×	—	—	
417	Between Aietu and Babanla.	1	6¾	×	×	×	×	—	×	—	—	×	×	—	×	
418	Do. do.	2	2½	×	×	×	×	—	—	—	—	×	×	—	—	
419	Do. do.	3	16	×	×	—	×	×	—	×	×	×	×	—	—	
420	Do. do.	4	28½	—	×	×	—	—	×	×	×	×	×	—	—	
421	Between Alabi and Oke Ode.	1	8	—	×	×	×	×	—	×	×	—	×	—	—	
422	Do. do.	2	5	×	×	×	×	×	—	×	—	×	×	—	×	
423	Do. do.	3	2½	—	×	×	×	×	—	×	—	×	×	—	×	
424	Do. do.	4	1¼	×	×	—	×	—	—	×	×	×	×	—	—	Also spinel.
425	Do. do.	5	¾	×	×	—	—	—	—	×	×	×	×	—	—	
430	Between Oke Ode and Shagbeogede.	1	2¾	×	×	×	×	×	—	×	—	—	×	—	—	
431	Do. do.	2	1	—	×	×	×	×	—	×	×	×	×	—	×	
432	Do. do.	3	½	—	×	×	×	×	—	×	×	×	×	—	—	
433	Between Babanla and Shagbeogede.		125¼	×	×	×	×	×	×	×	—	×	×	—	—	

Number.	Locality.	Weight of Specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	Staurolite.	Sillimanite.	
NnF.		grms.													
434	Between Shag-beogede and Famole. 1	2½	—	×	×	×	×	—	×	×	×	×	—	—	Also spinel.
435	Do. do. 2	40½	×	×	×	×	×	—	×	—	×	×	—	×	Also spinel.
436	Stream at Share	6	×	×	—	—	—	×	×	—	×	×	×	—	
444	Between Shag-beogede and Sado Bako. 1	4¼	—	×	×	×	—	×	×	—	×	×	×	—	
445	Do. do. 2	¾	—	×	×	—	—	×	×	—	×	×	×	—	
446	Between Sado Bako and Sequata. 1	1	×	×	×	—	—	—	×	—	×	×	×	—	
447	Do. do. 2	1	—	×	×	—	—	—	×	—	×	×	×	—	
448	Do. do. 3	⅜	—	×	×	—	—	×	×	—	×	×	×	—	
449	Do. do. 4	2½	—	×	×	×	×	—	×	—	×	×	×	—	
450	Between Sequata and Dahomey. 1	½	—	×	×	—	—	—	×	—	×	×	×	—	
451	Do. do. 2	1½	×	×	×	×	×	—	×	—	×	×	—	—	
452	Do. do. 3	1	×	×	×	×	×	—	×	—	×	×	—	—	
453	Do. do. 4	6½	×	×	×	×	×	×	×	×	×	×	×	—	Also pyroxene.
454	Between Dahomey and Ibarre. 1	7⅜	—	×	×	×	—	×	×	×	×	×	—	—	Also spinel.
455	Do. do. 2	2⅜	—	×	×	×	—	×	×	—	×	×	—	—	
456	Do. do. 3	6	×	×	×	×	×	×	×	—	×	×	—	—	
457	Do. do. 4	7½	×	×	×	×	—	×	×	—	×	×	—	—	
458	Do. do. 5	5½	×	×	×	×	×	×	×	—	×	×	×	—	
459	Between Share and Igporin. 1	15½	×	×	×	×	×	—	×	—	×	×	×	—	
460	Do. do. 2	2	×	×	×	×	×	—	×	—	×	×	×	×	Also spinel.
461	Between Igporin and Okeoyi. 1	2¼	×	×	—	×	×	—	×	×	×	×	—	—	
462	Do. do. 2	94¼	×	×	×	×	—	×	×	×	×	×	×	—	Also spinel.*
463	Between Ibarre and Ileapa. 1	1½	—	×	×	×	—	—	×	—	—	×	—	—	
464	Do. do. 2	1	×	×	—	×	—	—	×	—	—	×	—	—	
465	Do. do. 3	1⅜	—	×	×	×	×	—	—	×	×	×	—	—	
466	Do. do. 4	2	—	×	×	×	×	—	×	—	—	×	—	—	
467	Do. do. 5	2½	×	×	×	×	×	—	×	×	×	×	—	—	Also spinel.
468	Do. do. 6	3⅜	×	×	×	—	—	—	×	—	—	×	—	—	
469	Do. do. 7	2	×	×	—	—	—	×	×	×	×	×	—	—	
470	Between Ileapa and Illorin. 1	2½	×	×	×	×	—	×	—	—	×	×	—	—	
471	Do. do. 2	1½	×	×	—	×	—	—	—	—	×	×	—	—	
472	Do. do. 3	1½	×	×	—	—	—	—	—	—	×	×	—	—	
473	Do. do. 4	1½	×	×	×	×	—	×	—	—	×	×	—	—	
474	Do. do. 5	1⅜	—	×	×	×	×	—	×	—	×	×	—	—	
475	Do. do. 6	5	—	×	×	×	—	—	—	—	×	×	—	—	
476	Do. do. 7	2⅜	—	×	×	×	—	—	—	—	×	×	—	—	

* The yield of concentrate from the crude gravel is about 0·26 per cent.

Number.	Locality.	Weight of Specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	Staurolite.	Sillimanite.	—
NnF.		grms.													
477	Between Okeoyi and Illorin. 1	4½	—	×	×	×	—	×	—	—	×	×	—	—	
478	Do. do. 2	8½	×	×	×	×	×	—	×	—	×	×	—	×	
479	Do. do. 3	117¾	—	×	×	×	—	—	×	—	×	×	—	×	
483	Between Illorin and Oloro. 1	2	×	×	×	×	×	×	—	×	×	×	—	—	
484	Do. do. 2	1	—	×	×	×	×	—	×	—	×	×	—	—	
485	Do. do. 3	2½	×	×	×	×	—	×	—	—	×	×	—	—	
486	Between Oloro and Ajidungari. 1	½	×	×	×	×	×	—	—	—	×	×	—	—	
487	Do. do. 2	¾	×	×	—	—	—	—	—	—	×	×	—	—	
488	Do. do. 3	¾	×	×	×	×	×	—	—	—	×	×	—	—	
489	Do. do. 4	½	—	×	×	×	×	—	—	×	×	×	—	—	
490	Between Ajidungari and Pako. 1	1¾	×	×	×	×	×	—	—	×	×	×	—	—	
491	Do. do. 2	¼	—	×	—	×	×	—	—	—	×	×	—	—	
492	Do. do. 3	1	×	×	—	×	×	—	—	—	×	×	—	—	
493	Between Pako and Jebba.	1½	—	×	—	×	×	—	×	—	×	×	—	—	
494	Between Aribi and Ailekun.	5¼	×	×	×	×	—	—	—	—	×	×	—	—	
495	Between Ailekun and Buda. 1	1½	×	×	×	×	×	—	—	—	×	×	—	—	
496	Do. do. 2	1½	×	×	×	×	×	—	—	—	×	×	—	—	
497	Do. do. 3	5	×	×	×	×	×	—	×	—	×	×	—	—	
498	Do. do. 4	8½	×	×	—	×	×	—	×	—	×	×	—	—	
499	Do. do. 5	3	×	×	×	×	×	—	×	—	×	×	—	—	
508	Between Jebba and Rawa. 1	¾	×	×	×	×	×	—	×	—	×	×	—	—	
509	Do. do. 2	16¼	—	×	—	—	×	×	×	×	×	×	×	—	Also spinel.
510	Between Rawa and Rabba.	6¼	—	×	—	×	—	—	×	×	×	×	×	—	
511	Between Kabba and Kwadan. 1	6¾	—	×	—	×	×	—	×	—	×	×	×	—	
512	Do. do. 2	6¼	—	×	—	×	—	—	×	—	×	×	×	—	
513	Between Rabba and Tehaji. 1	1	—	×	—	×	—	—	×	—	×	×	×	—	
514	Do. do. 2	1¼	—	×	—	—	×	—	×	—	×	×	×	—	Also spinel.
515	Do. do. 3	1	—	×	—	—	—	—	×	—	×	×	×	—	
516	Do. do. 4	1	—	×	—	—	—	—	×	—	×	×	×	—	
517	Do. do. 5	1¼	—	×	—	—	—	—	×	—	×	×	×	—	
518	Between Tehaj and Laboshi. 1	2¼	—	×	—	—	—	—	×	—	×	×	×	—	
519	Do. do. 2	½	—	×	—	—	—	—	×	—	×	×	×	—	
520	Between Laboshi and Kateji. 1	9½	—	×	—	—	—	—	×	—	×	×	×	—	Also spinel.
521	Do. do. 2	9½	×	×	—	—	—	—	×	—	×	×	×	—	
522	Between Yakudi and Bataji. 1	¼	—	×	·	—	—	—	×	×	×	×	×	—	
523	Do. do. 2	1	×	×	—	—	—	—	×	×	×	×	×	—	
524	Between Bataji and Wuya.	7¼	—	×	—	—	—	—	×	—	×	×	×	—	
525	Between Kateji and Wuya.	1½	×	×	—	—	—	—	×	×	×	×	×	—	
526	Between Wuya Bida and Bida.	19¼	—	×	—	—	—	×	×	×	×	×	×	—	

Of the above concentrates, specimens NnF 396 to 489 are from the province of Illorin, and the rest are from Western Nupe. As compared with those from Kabba, the concentrates from Illorin are poor in heavy minerals. Monazite is not uncommon, but it is usually present in very small amounts. Tinstone is absent. The concentrates from Western Nupe (NnF 490-526) are very poor in minerals likely to be of value, as was to be expected from the fact that Nupe is mainly occupied by sandstones and grits. The samples NnF 417 and 462 were selected for examination as typical of this group.

NnF 417. *Collected between Aietu and Babanla.*—This sample is fairly well concentrated. The predominant heavy minerals are ilmenite and monazite. On analysis the following results were obtained:—

	Per cent.	
Thoria, ThO_2	1·26	Equivalent to 20 per cent. of monazite.
Ceria and associated oxides, Ce_2O_3 etc.	12·25	
Stannic oxide, SnO_2 ...	nil.	

NnF 462. *Collected between Igporin and Okeoyi.*—This is a well concentrated sample, the predominant heavy mineral of which is ilmenite. The sample on analysis gave the following results:—

	Per cent.
Thoria, ThO_2	0·18
Ceria and associated oxides, Ce_2O_3 etc.	1·84
Stannic oxide, SnO_2	0·11

This concentrate contains only about 3 per cent. of monazite and a trace of tinstone, and represents an original sand of no commercial value as a source of these minerals.

Specimens (NnF 527–687) Accompanying the Fourteenth Interim Report.

(a) *Massive rocks and minerals.*

NnF 542. "Hornblende-gneiss, north of Paiko."
,, 543. "Quartzite, north of Paiko."
,, 544. "Mica granite, north of Paiko."
,, 545. "Granites, Paiko and neighbourhood."
,, 546. "Felspathic gneiss, Paiko."
,, 553. "Granite, Gaung."
,, 554. "Granites, between Gaung and Ezim."
,, 555. "Hornblende epidote rock, between Ezim and Abuja."

NnF 556. "Hornblende-epidote gneiss, between Ezim and Abuja."
,, 557. "Hornblende-epidote gneiss, between Ezim and Abuja."
,, 566. "Hornblende gneiss, near Lampai."
,, 567. "Hornblende gneiss, near Lampai."
,, 568. "Biotite gneiss, near Lampai."
,, 572. "Quartz porphyry, near Vi."
,, 573. "Hornblende gneiss, near Vi."
,, 574. "Basalt, near Vi."
,, 575. "Hornblende gneiss, near Vi."
,, 576. "Hornblende rocks, near Vi."
,, 602. "Hornblende schist, near Abuja."
,, 637. "Amphibolite, West Kagherko."
,, 653. "Amphibolite, near Gantam."
,, 662. "Gneiss, near Fai, Gantam."
,, 663. "Quartz porphyry, near Fai, Gantam."
,, 664. "Tourmaline, near Fai, Gantam."
,, 665. "Biotite granite, between Fai and Kwai."
,, 666. "Garnet-hornblende rock, between Fai and Kwai, Gantam."
,, 667. "Granite, between Fai and Kwai, Gantam."
,, 668. "Granulite, between Fai and Kwai, Gantam."
,, 688. "Basalt, between Kwai and Jagindi."
,, 689. "Hornblende schist, between Kwai and Jagindi."
,, 690. "Dolerite, between Karsi and Saka."
,, 691. "Mica schist, bed of R. Kogin Kogi."
,, 692. "Felspathic gneiss, between Shabu and Kukwassa."
,, 693. "Basalt, between Jagindi and Jemaa."

These specimens are not of direct economic interest.

NnF 569. *Talc, near Lampai.*—This is a specimen of massive, discoloured talc, containing a certain amount of gritty material. It is not the pure mineral talc, but rather rock-steatite; and on account of its discoloured and impure condition is of little or no commercial value.

NnF 694. "*Limonite, between Aribi and Gantam.*"—This is a specimen of porous, hydrated iron ore, fairly free from earthy impurity, and consisting of limonite and göthite. On analysis it gave the following results:—

	Per cent.
Iron, Fe	56·73
Silica, SiO_2	2·85

This is an ore of excellent quality.

(b) *Concentrates.*

These had the following mineral composition. The mark "x" indicates that the mineral named at the head of the column is a constituent of the concentrate:—

Number.	Locality.	Weight of Specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	Staurolite.	Pyroxene.
NnF 527	Between Bida and Gutuji. 1	grms. 14½	—	×	—	—	—	—	×	—	×	×	×	—
528	Do. do. 2	9½	—	×	—	—	×	—	×	—	×	×	×	—
529	Do. do. 3	6½	×	×	×	—	×	—	×	×	×	×	×	—
530	Between Gutuji and Kinchikasa. 1	12	—	×	—	—	—	—	×	—	×	×	×	—
531	Do. do. 2	7	—	×	—	—	—	—	×	—	×	×	×	—
532	Do. do. 3	4¾	—	×	—	—	—	×	×	×	×	×	×	—
533	Do. do. 4	7½	—	×	—	×	—	×	×	×	×	×	×	—
534	Do. do. 5	7½	—	×	—	—	—	—	×	×	×	×	×	—
535	Do. do. 6	6¼	—	×	—	—	—	—	×	—	×	×	×	—
536	Between Kinchikasa and Mukwe gi.	20½	—	×	—	—	—	×	×	—	×	×	×	—
537	Between Mukweigi and Paiko. 1	17½	×	×	×	×	×	—	—	—	×	×	—	—
538	Do. do. 2	22½	×	×	×	×	×	—	—	—	×	×	—	—
539	Do. do. 3	22½	×	×	×	×	×	—	—	—	×	×	—	—
540	Stream at Derre	5½	—	×	×	—	×	×	—	—	×	×	—	—
541	River Bako; North of Paiko.	114¾	×	×	×	—	×	—	—	—	×	×	—	—
547	Between Paiko and Lefu. 1	4	—	×	×	×	×	—	—	—	×	×	—	—
548	Do. do. 2	24	×	×	×	×	×	—	—	×	×	×	—	—
549	Between Lefu and Gaung. 1	6	—	×	×	×	×	—	×	—	×	×	—	—
550	Do. do 2	15	—	×	×	×	×	—	—	—	×	×	—	—
551	River Gurara .. 1	19¾	×	×	×	×	×	×	×	—	×	×	—	—
552	Do. do. 2	234¾	×	×	×	×	×	×	×	×	×	×	—	—
558	Between Bida and Badeji. 1	¾	—	×	—	×	×	—	×	×	×	×	—	—
559	Do. do. 2	4	—	×	×	×	×	—	×	×	×	×	—	—
560	Between Badeji and Argoye. 1	6	—	×	—	—	--	—	×	—	×	×	—	—
561	Do. do. 2	2½	—	×	—	—	—	×	×	—	×	×	—	—
562	Do. do. 3	½	—	×	—	—	×	—	×	—	×	×	—	—
563	Between Argoye and Badeggi. 1	¾	—	×	×	—	—	—	×	—	×	×	—	—
564	Do. do. 2	2½	—	×	—	—	—	—	×	×	×	×	—	—
565	Do. do. 3	2½	—	×	—	—	×	—	×	×	×	×	—	—
570	Between Lampai and Nassarawa. 1	1½	—	×	—	—	—	—	×	—	×	×	×	—
571	Do. do. 2	2½	—	×	—	—	—	—	×	—	×	×	×	—
577	Between Nassarawa and Quasin.	1¾	—	×	—	—	—	—	×	—	×	×	×	—

Number.	Locality.		Weight of Specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	Staurolite.	Pyroxene.
NnF.			grms.												
578	Between Quasini and Pai.	1	9	×	×	×	×	×	—	×	—	×	×	—	—
579	Do. do.	2	1½	×	×	×	×	×	—	×	—	×	×	×	—
580	Between Pai and Bamburu.	1	5¼	×	×	×	×	—	—	—	—	×	×	—	—
581	Do. do.	2	12¼	×	×	—	×	×	×	—	—	×	×	—	—
582	Do. do.	3	2	—	×	×	×	—	—	—	—	×	×	—	—
583	Between Ezim and Abuja.	1	45½	×	×	×	×	×	—	—	—	×	×	—	—
584	Do. do.	2	15½	—	×	—	×	×	—	—	—	×	×	—	—
585	Do. do.	3	19	×	×	×	×	×	—	—	—	×	×	—	—
586	Do. do.	4	7	—	×	×	×	×	—	—	—	×	×	—	
587	Do. do.	5	7½	×	×	×	×	×	—	—	—	×	×	—	—
588	Between Bamburu and Abuja.	1	1½	×	×	×	×	×	—	—	—	×	×	—	—
589	Do. do.	2	6½	×	×	—	×	×	—	—	—	×	×	—	—
590	Between Abuja and Gwari	1	5	×	×	×	×	×	—	×	—	×	×	—	—
591	Do. do.	2	10½	×	×	×	×	×	—	—	—	×	×	—	—
592	Do. do.	3	3½	×	×	—	×	×	—	—	—	×	×	—	—
593	Do. do.	4	8¾	×	×	—	×	×	—	—	—	×	×	—	—
594	Do. do.	5	9	×	×	×	×	×	—	—	—	×	×	—	—
595	Do. do.	6	5½	×	×	—	×	×	—	—	—	×	×	—	—
596	Do. do.	7	28¼	×	×	—	×	—	—	—	—	×	×	—	—
597	Do. do.	8	8¾	×	×	—	×	×	—	×	—	×	×	—	—
598	Do. do.	9	13	×	×	—	×	—	—	—	—	×	×	—	—
599	Do. do.	10	11	×	×	×	×	×	×	—	—	×	×	—	—
600	Do. do.	11	36½	—	×	×	×	×	—	×	—	×	×	—	—
601	Do. do.	12	62¾	—	×	×	-	—	—	—	—	×	×	—	—
603	Between Gwari and Gasheni.	1	11	×	×	×	×	—	—	—	—	×	×	—	—
604	Do. do.	2	11	×	×	—	—	—	—	—	—	×	×	—	—
605	Do. do.	3	19	×	×	×	×	×	—	—	—	×	×	—	—
606	Do. do.	4	25½	×	×	—	—	—	—	—	—	×	×	—	—
607	Do. do.	5	28	—	×	—	×	—	—	—	—	×	×	—	—
608	Ben Abuja and Maidaikan Burde.	1	27½	×	×	—	—	—	—	—	—	×	×	—	—
609	Do. do.	2	10¾	×	×	—	×	—	—	—	—	×	×	—	—
610	Do. do.	3	15½	×	×	×	×	—	—	—	—	×	×	—	—
611	Do. do.	4	1½	×	×	×	×	—	—	—	—	×	×	—	—
612	Do. do.	5	¾	—	×	×	×	×	×	×	—	×	×	—	—
613	Between Pesheni and Jiri.	1	7½	—	×	—	—	—	—	—	—	×	×	—	—
614	Do. do.	2	28½	—	×	—	×	—	—	—	—	×	×	—	×
615	Do. do.	3	112½	—	×	×	×	—	×	—	—	×	×	—	—

Number.	Locality.	Weight of Specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	Staurolite.	Pyroxene.	—
Nos.		grms.													
616	Between Pesheni and Jiri. 4	2¾	—	×	—	×	—	—	—	—	×	×	—	×	
617	Do. do. 5	8	—	×	—	×	—	—	—	—	×	×	—	—	
618	Do. do. 6	64¼	—	×	×	×	—	—	—	—	×	×	—	—	
619	Do. do. 7	61	—	×	—	×	—	—	—	—	×	×	—	×	
620	Between Maidai-kan Burde and Waru. 1	—	—	×	×	×	—	—	—	—	×	×	—	—	
621	Do. do. 2	1½	—	×	×	×	—	×	×	—	—	×	—	×	
622	Do. do. 3	—	—	×	×	×	—	—	—	—	×	×	—	—	
623	Do. do. 4	5	—	×	×	×	×	×	×	—	×	×	—	×	
624	Do. do. 5	½	—	×	×	×	—	×	×	—	×	×	—	—	
625	Do. do. 6	15¾	—	×	×	×	—	×	×	—	×	×	—	×	
626	Do. do. 7	1¾	—	×	×	×	×	—	×	—	×	×	—	×	
627	Between Waru and Saka. 1	5¼	—	×	×	×	—	×	×	—	×	×	—	×	
628	Do. do. 2	6½	×	×	×	×	—	—	×	—	×	×	—	×	
629	Do. do. 3	8¼	—	×	×	×	—	×	×	—	×	×	—	—	
630	Stream at Jiri 1	4¾	—	×	—	—	—	—	—	—	×	×	—	—	
631	Do. do. 2	69¾	×	×	×	×	—	×	×	—	×	×	—	—	
632	Between Jiri and Kagherko. 1	32	—	×	×	—	—	×	—	—	×	×	—	—	
633	Do. do. 2	5½	—	×	×	—	—	×	×	—	×	×	—	—	Also spinel.
634	Do. do. 3	16½	—	×	—	—	—	×	×	—	×	×	—	—	Also spinel.
635	Do. do. 4	23½	×	×	—	—	—	×	×	×	×	×	—	—	Also spinel and topaz.
636	Do. do. 5	49¼	×	×	—	—	—	—	×	—	×	×	—	—	Also spinal and topaz.
638	Between Kagherko and Aribi. 1	36	—	×	—	—	—	×	—	—	×	×	—	—	
639	Do. do. 2	3¾	—	×	—	—	—	—	×	—	—	×	—	—	
640	Do. do. 3	26½	—	×	×	—	—	—	×	—	×	×	—	—	Also topaz.
641	Do. do. 4	2½	—	×	×	×	—	—	×	—	×	×	—	—	Also spinel.
642	Do. do. 5	10	—	×	×	—	×	×	×	—	×	×	—	—	Also spinel and topaz
643	Do. do. 6	15½	×	×	×	×	—	×	×	—	—	×	—	—	Also spinel.
644	Between Aribi and Gantam. 1	8½	—	×	×	—	—	×	×	—	—	×	—	—	
645	Do. do. 2	24½	—	×	×	×	—	×	×	—	—	×	—	—	Also tinstone.
646	Do. do. 3	40	×	×	×	×	—	—	×	×	×	×	—	×	Also tinstone and spinel.
647	Do. do. 4	9	—	×	×	×	×	—	×	—	×	×	—	×	
648	Do. do. 5	18¼	—	×	×	×	—	×	—	×	×	×	—	×	Also tinstone
649	Do. do. 6	9	—	×	×	×	—	—	×	×	×	×	—	×	Also tinstone.
650	Do. do. 7	26½	—	×	×	—	—	—	×	—	×	×	—	×	
651	Do. do. 8	11½	—	×	×	×	—	—	×	—	—	×	—	—	
652	Do. do. 9	61	×	×	×	×	—	×	×	×	×	×	—	×	Also tinstone and spinel.
654	Between Gantam and Kwai. 1	5¼	—	×	×	×	—	×	×	—	×	×	—	×	Also spinel.

Number.	Locality.	Weight of Specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	Staurolite.	Pyroxene.	
NnF.		grms.													
655	Between Gantam and Kwai. 2	11½	×	×	×	×	—	×	×	×	×	×	—	×	
656	Do. do. 3	8½	×	×	×	×	—	×	×	×	×	×	—	×	Also tinstone and spinel.
657	Do. do. 4	8½	—	×	×	×	—	×	×	—	×	×	—	×	
658	Do. do. 5	27½	—	×	×	×	—	×	×	×	×	×	—	×	
659	Do. do. 6	16½	×	×	×	×	—	×	×	×	×	×	—	×	Also spinel.
660	Do. do. 7	4¾	×	×	×	—	—	—	×	—	×	×	—	×	Also spinel.
661	Do. do. 8	11¼	×	×	×	×	—	×	×	×	×	×	—	—	Also spinel.
669	Between Kwassa and Jagindi.	4¼	×	×	×	×	—	×	×	—	×	×	—	—	Also spinel.
670	Between Kwai and Jagindi. 1	10	×	×	×	—	—	×	×	×	×	×	—	—	
671	Do. do. 2	1	×	×	×	×	—	×	×	×	×	×	—	—	Also tinstone.
672	Do. do. 3	6¾	×	×	×	×	—	×	×	×	×	×	—	—	
673	Do. do. 4	8½	×	×	×	×	×	×	×	—	×	×	—	—	
674	Do. do. 5	11½	×	×	×	×	×	×	×	—	×	×	—	—	
675	Do. do. 6	4¾	×	×	×	×	—	×	—	—	×	×	—	—	
676	Do. do. 7	6¼	×	×	×	×	—	×	×	—	×	×	—	—	
677	Do. do. 8	9¼	×	×	×	×	—	×	×	—	×	×	—	—	
678	Do. do. 9	6¾	×	×	×	×	—	×	×	—	×	×	—	—	
679	Do. do. 10	5	×	×	×	×	×	—	—	—	×	×	—	-	Also topaz.
680	Do. do. 11	50½	×	×	×	×	—	×	×	×	×	×	—	—	Also tinstone and spinel.
681	Between Jagindi and Jemaa. 1	7	—	×	×	—	—	—	×	—	×	×	—	—	
682	Do. do. 2	22¼	—	×	×	—	—	×	×	—	×	×	—	—	Also spinel.
683	Do. do. 3	5½	—	×	×	×	—	×	×	—	×	×	—	—	Also spinel and tinstone.
684	Do. do. 4	7¼	—	×	×	×	—	×	×	—	×	×	—	—	Also spinel.
685	Do. do. 5	2½	—	×	×	×	—	×	×	—	×	×	—		
686	Do. do. 6	15¾	×	×	×	×	—	×	×	—	×	×	—	—	
687	Do. do. 7	10½	—	×	×	—	—	×	×	—	×	×	—	—	

None of the above concentrates represents material of economic value. The amount of monazite present is very small, and the presence of tinstone, which is usually only in traces, is only of interest as indicating occurrences which are probably of small extent. It would be advisable, however, to examine the rocks and gravels in the vicinity of the source of the Gurara River, for the purpose of determining whether tinstone occurs in greater quantity there.

Of this group of concentrates, NnF 529, 581, 596, 625, 645, and 677 were selected for analysis as typical of the whole.

NnF 529. *Collected between Bida and Gutuji.*—The predominant heavy minerals are ilmenite and epidote, and there

is much quartz also present. The results of analysis indicated the presence of only 0·53 per cent of rare earths, equal to about 1 per cent. of monazite.

NnF 581. *Collected between Pai and Bamburu.*—This sample is not well concentrated. The predominant heavy minerals are ilmenite, garnet, monazite, and zircon in rather coarse grains. The sample gave the following results on analysis:—

	Per cent.
Thoria, ThO_2	0·53
Cerium and associated oxides, Ce_2O_3.	3·80
Stannic oxide, SnO_2	nil.

The sample contains rather more than 6 per cent. of monazite.

NnF 596. *Collected between Abuja and Gwari.*—On analysis this was found to contain only 0·40 per cent. of total rare earths.

NnF 625. *Collected between Maidaikan Burde and Waru.*—Ilmenite predominates in this sample, but there is also a small amount of monazite present. On analysis the following results were obtained:—

	Per cent.
Thoria, ThO_2	0·11
Cerium and associated oxides, Ce_2O_3.	1·13
Stannic oxide, SnO_2	nil.

These results indicate that the sample contains about 2 per cent. of monazite.

NnF 645. *Collected between Aribi and Gantam.*—The predominant heavy minerals in this sample are ilmenite and garnet, with some monazite and tinstone. On analysis the following results were obtained:—

	Per cent.
Thoria, ThO_2	0·30
Cerium and associated oxides, Ce_2O_3.	2·75
Stannic oxide, SnO_2	1·95

The sample therefore contains about 4·5 per cent. of monazite and 2 per cent. of tinstone.

NnF 677. *Collected between Kwai and Jagindi.*—This sample is not well concentrated. Its principal heavy con-

stituent is ilmenite. On analysis it gave the following results:—

	Per cent.
Thoria, ThO_2	0·28
Cerium and associated oxides, Ce_2O_3.	2·88
Stannic oxide, SnO_2	nil.

The sample contains only about 4·5 per cent. of monazite.

SPECIMENS (NnF 695–788) ACCOMPANYING THE FIFTEENTH INTERIM REPORT.

(a) *Massive rocks and minerals.*

NnF 703. "Basalt, between Fadan Kagore and Akul."
,, 708. "Biotite gneiss, between Madaikia and Fadan Kagoma."
,, 709. "Muscovite schist, between Madaikia and Fadan Kagoma."
,, 710. "Basalt, between Akul and Madaikia."
,, 711. "Amphibolite, near Madaikia."
,, 721. "Quartz and tourmaline, between Fadan Kagoma and Jagindi."
,, 722. "Basalt, between Fadan Kagoma and Jagindi.
,, 723. "Amphibolite, between Fadan Kagoma and Jagindi."
,, 745. "Tourmaline gneiss, between Nassarawa and Ruzu."
,, 746. "Tourmaline with muscovite, between Nassarawa and Ruzu."
,, 747. "Basalt, between Buga and Zagabutu."
,, 749. "Chloritic schist, between Buga and Zagabutu."
,, 750. "Knotted schist, between Zagabutu and Gwombe."
,, 751. "Ferruginous sandstones, between Gwombe and Toto."
,, 752. "Basalt, E. of Gimi."
,, 753. "Granite, neighbourhood of Riri."
,, 754. "Gneiss, between Riri and Burum-Burum."

The above specimens are chiefly of scientific interest and do not require further description in the present connection.

NnF 748. "*Magnetite, between Nassarawa and Ruza.*"—This is a sample of granular magnetic iron ore, free from ilmenite and gritty impurity and containing some hæmatite. On partial analysis the following results were obtained:—

	Per cent.
Iron, Fe	69·48
Silica, SiO_2	0·33

This is an iron ore of excellent quality, and is richer in iron and contains less impurity than any iron ore yet received from Northern Nigeria.

(b) *Concentrates.*

The mineralogical examination of these samples gave the following results. The mark × indicates that the mineral named at the head of the column is a constituent of the sample:—

Number.	Locality.	Weight of specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	
NnF		grms.											
695	Between Jemaa and Fadan Kagore. 1	19¼	—	×	×	×	—	×	×	×	×	×	Also pyroxene and tinstone.
696	Do. do. 2	4	—	×	×	—	—	×	×	×	×	×	Pyroxene, tinstone, and spinel.
697	Do. do. 3	33¼	—	×	×	—	—	×	×	×	×	×	Pyroxene, tinstone, and spinel.
698	Do. do. 4	34¾	—	×	×	—	—	×	×	×	×	×	Pyroxene, tinstone, and spinel.
699	Between Fadan Kagore and Akul. 1	14½	×	×	×	×	—	×	×	—	×	×	
700	Do. do. 2	17½	×	×	×	×	—	×	×	—	×	×	
701	Do. do. 3	30½	×	×	×	×	—	×	×	×	×	×	
702	Do. do. 4	81	×	×	×	—	—	×	×	×	×	×	Also spinel and tinstone.
704	Between Akul and Madaikia. 1	5	×	×	×	×	—	×	×	×	×	×	
705	Do. do. 2	6½	×	×	×	—	—	×	×	×	×	×	Also pyroxene
706	Do. do. 3	4¼	×	×	×	—	—	×	×	×	×	×	Also pyroxene
707	Do. do. 4	26¾	×	×	×	—	—	×	×	×	×	×	
712	Between Madaikia and Fadan Kagoma. 1	8	×	×	×	×	—	×	×	—	×	×	Also spinel.
713	Do. do. 2	3¼	—	×	×	×	—	×	×	—	×	×	
714	Do. do. 3	5	×	×	×	×	×	×	×	×	×	×	
715	Do. do. 4	6½	×	×	×	×	—	×	×	—	×	×	
716	Do. do. 5	6½	×	×	×	×	—	×	×	—	×	×	
717	Do. do. 6	6¾	×	×	×	×	×	×	×	—	×	×	
718	Do. do. 7	8	×	×	×	×	—	×	×	—	×	×	
719	Do. do. 8	11½	×	×	×	×	—	×	×	×	×	×	
720	Do. do. 9	24½	×	×	×	×	×	×	×	×	×	×	
724	Between Fadan Kagoma and Jagindi. 1	13¼	×	×	—	×	×	×	×	—	×	×	
725	Do. do. 2	47½	×	×	—	×	—	—	—	×	×	×	
726	Do. do. 3	16¾	×	×	×	×	—	×	×	×	×	×	
727	Do. do. 4	8	×	×	×	×	—	×	×	×	×	×	
728	Between Jemaa and Gimi. 1	¼	×	×	×	×	—	×	×	×	×	×	
729	Do. do. 2	6¾	×	×	—	×	—	×	×	×	×	×	
730	From Gimi eastwards. 1	3	×	×	×	×	—	×	×	×	×	×	Also tinstone and spinel.
731	Do. do. 2	9½	×	×	×	×	—	×	×	×	×	×	Also tinstone and spinel.

Number.	Locality.	Weight of specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	—
NnF.		grms.											
732	From Gimi eastwards. 3	1½	×	×	×	×	—	×	×	×	×	×	
733	Between Keffi and Lamingo.	7	—	×	×	×	—	×	×	×	—	×	Also topaz.
734	Between Nassarawa and Ruzu. 1	6½	—	×	×	×	—	—	×	—	×	×	
735	Do. do. 2	17	—	×	×	×	×	—	×	—	×	×	
736	Do. do. 3	5	—	×	—	—	—	—	×	—	×	×	
737	Do. do. 4	7¾	—	×	×	×	×	×	×	—	×	×	
738	Between Ruzu and Buga. 1	62¼	×	×	×	×	—	×	×	×	×	×	
739	Do. do. 2	45	—	×	×	×	—	×	×	—	×	×	
740	Between Buga and Zagabutu. 1	6½	×	×	×	×	—	×	×	—	×	×	
741	Do. do. 2	10¼	×	×	×	—	—	×	×	—	×	×	
742	Do. do. 3	67½	—	×	×	×	—	×	×	—	×	×	
743	Do. do. 4	5½	—	×	×	—	×	×	×	—	×	×	Also spinel.
744	Do. do. 5	—	—	×	×	×	×	—	×	—	×	×	
755	Between Keffi and Gandon Sariki.	1	—	×	×	×	—	—	×	—	×	×	
756	Between Gandon Sariki and Riri. 1	33	—	×	×	×	—	×	×	×	×	×	Also spinel and tinstone.
757	Do. do. 2	3	—	×	×	—	—	—	×	—	—	×	
758	Between Riri and Burum Burum. 1	45¾	—	×	×	×	×	×	×	—	—	×	
759	Do. do. 2	¾	—	×	×	×	—	—	×	—	×	×	Also spinel.
760	Between Burum Burum and Doma. 1	1½	—	×	—	×	×	—	×	×	—	×	Also spinel.
761	Do. do. 2	1½	—	×	—	×	—	—	×	×	×	×	Also spinel.
762	Between Doma and Amakum 1	1½	—	×	—	×	—	—	×	—	—	×	
763	Do. do. 2	3½	—	×	—	—	—	—	×	—	—	×	
764	Do. do. 3	1½	—	×	—	—	—	—	×	—	×	×	Also spinel.
765	Between Amakum and Udegi. 1	¾	—	×	×	×	—	—	×	—	—	×	Also topaz.
766	Do. do. 2	2¾	×	×	—	×	—	—	×	—	×	×	Also spinel.
767	Between Udegi and Ushini. 1	2¾	×	×	—	—	—	—	×	×	×	×	Also spinel.
768	Do. do. 2	6¼	×	×	—	×	—	—	×	—	×	×	
769	Between Ushini and Tunga. 1	2¾	×	×	—	×	—	—	×	—	×	×	
770	Do. do. 2	2½	×	×	—	×	—	—	×	—	×	×	Also topaz.
771	Do. do. 3	3½	×	×	—	×	—	—	×	—	—	×	
772	Do. do. 4	2	×	×	—	×	—	—	×	—	—	×	
773	Between Tunga and Umaisho.	8½	×	×	×	×	—	—	×	—	×	×	Also topaz.
774	Between Zagabutu and Gwombe. 1	11	×	×	×	×	—	×	×	×	×	×	Also topaz
775	Do. do. 2	17	×	×	×	×	—	×	×	×	×	×	
776	Do. do. 3	6¾	×	×	×	×	—	×	×	×	—	×	
777	Do. do. 4	9¾	×	×	×	×	—	×	×	—	×	×	Also topaz.
778	Do. do 5	6¾	×	×	×	×	—	×	×	—	×	×	Also topaz.

Number.	Locality.	Weight of specimen.	Magnetite.	Ilmenite.	Garnet.	Hornblende.	Epidote.	Monazite.	Tourmaline.	Rutile.	Zircon.	Quartz.	—
NnF.		grms.											
779	Between Zagabutu and Gwombe.	6 13	×	×	×	×	—	×	×	×	×	×	Also topaz.
780	Between Gwombe and Toto.	1 10	×	×	—	×	—	×	×	×	×	×	Also topaz.
781	Do. do.	2 2¼	×	×	×	×	—	—	×	×	×	×	
782	Between Toto and Asheni.	1 7½	×	×	×	×	—	×	×	—	—	×	
783	Do. do.	2 5½	×	×	—	—	—	×	×	—	×	×	
784	Do. do.	3 4½	×	×	—	×	—	—	×	×	×	×	
785	Between Asheni and Jago.	1 8¾	×	×	×	×	—	—	×	—	×	×	
786	Do. do.	2 3¾	×	×	—	×	—	—	—	—	—	×	
787	Do. do.	3 3¾	×	×	—	—	—	—	×	—	×	×	
788	Between Jago and Koton Kariffi.	4½	×	×	—	×	—	—	×	—	×	×	

The above concentrates closely resemble those sent with Interim Report No. 14, and already referred to. Monazite is commonly present in small quantities, and tinstone is only present in traces.

NnF 702 and 741 were selected for analysis as typical of the group.

NnF 702. *Collected between Fadan Kagore and Akul from the Kaduna River.*—This sample was well concentrated but consisted principally of ilmenite with a little monazite and zircon. On analysis it gave the following results:—

	Per cent.
Thoria, ThO_2	2·42
Cerium and associated oxides, Ce_2O_3.	
Stannic oxide, SnO_2	trace.

These results indicate that the original sand is poor in economic minerals, and is of no commercial value.

NnF 741. *Collected between Buga and Zagabutu.*—The predominant heavy minerals in this sample are ilmenite, garnet, and monazite. On analysis it gave the following results:—

	Per cent.
Thoria, ThO_2	0·37
Cerium and associated oxides, Ce_2O_3.	4·91
Stannic oxide, SnO_2	nil.

The sample contains about 8 per cent. of monazite.

WYNDHAM R. DUNSTAN.

December 10th, 1907.

COLONIAL REPORTS.

The following recent reports relating to His Majesty's Colonial Possessions have been issued, and may be obtained from the sources indicated on the title page :—

ANNUAL.

No.	Colony, &c.	Year.
522	Falkland Islands	1906
523	Ashanti	"
524	Jamaica	1905–1906
525	Uganda	"
526	St. Helena	1906
527	Ceylon	"
528	Bermuda	"
529	Gibraltar	"
530	Northern Territories of the Gold Coast	"
531	Sierra Leone	"
532	Colonial Survey Committee	1906–1907
533	Weihaiwei	1906
534	Gold Coast	"
535	Malta	1906–1907
536	Gambia	1906
537	British Central Africa Protectorate	1906–1907
538	Bechuanaland Protectorate	"
539	Leeward Islands	"
540	Straits Settlements	1906
541	Turks and Caicos Islands	"
542	Somaliland Protectorate	1906–1907
543	Bahamas...	"
544	Barbados	"
545	Trinidad and Tobago	"
546	Grenada	"
547	Mauritius	1906
548	Fiji	"
549	Jamaica	1906–1907
550	British Guiana	"
551	Northern Nigeria	"
552	British Honduras	1906
553	St. Lucia	"
554	Southern Nigeria	"

MISCELLANEOUS.

No.	Colony.	Subject.
39	Jamaica	Cayman Islands.
40	Northern Nigeria	Taxation of Natives.
41	East Africa Protectorate ...	Report on Kenia Forests.
42	Ceylon	Mineral Survey, 1905–6.
43	Caicos Islands	Fibre. .
44	East Africa Protectorate ...	Survey Department.
45	Do. do. ...	Geology.
46	Northern Nigeria	Mineral Survey, 1904–5.

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1908.

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No. 51.

SOUTHERN NIGERIA.

REPORT ON THE FOREST ADMINISTRATION OF SOUTHERN NIGERIA FOR 1906.

Presented to both Houses of Parliament by Command of His Majesty.
May, 1908.

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No. 51.

REPORT ON THE FOREST ADMINISTRATION OF SOUTHERN NIGERIA FOR 1906.

I.—EXAMINATION OF FORESTS.

Western Province.

1. During the year frequent visits of inspection were made by the Provincial Forest Officers to the four reserves situated in the Western Province. In addition to this, the Conservator of Forests together with the Provincial Forest Officer, made a tour through the forests of the southern portion of the Ibadan State, the northern portion of Jebu-Ode, and the central part of the Ilesha District.

Mamu Forests.

2. South of the town of Ibadan the country is for some miles devoted to farming, and the forest belt is first struck close to Mamu where there are two reserves, one belonging to the Ibadan State and the other to Government. The vegetation is of the "mixed forest" type except along the banks of the streams, where belts of "evergreen forest" are met with. The most important trees of economic value to be found in these forests are a species of mahogany—*Khaya grandifolia*—which is not very plentiful; *Afzelia africana*, a leguminous tree that yields excellent timber and is fairly numerous; *Mimusops multinervis*, of the natural order *Sapotaceæ*, a valuable hard-wood tree, confined to the vicinity of the streams; *Pterocarpus tinctorius*, a fairly lofty tree that yields a red timber frequently used by the natives instead of the real camwood, the product of *Baphia nitida* (the former tree is rather plentiful in this locality and acquires a good growth); *Pterocarpus erinaceous*, the West African rosewood; *Chlorophora excelsa* (the Iroko), a species of lofty growth that furnishes one of the best woods of Southern Nigeria; *Erythrophlæum guineense*, the "Sasswood" tree that yields a very hard durable timber; a fine species of *Terminalia* not as yet identified; *Albizzia Brownei; Albizzia rhombifolia;* and an unnamed species of *Sterculia*, with a fine-grained rather soft wood, probably capable of replacing the pitch pine imported so largely from Europe. Amongst plants that yield products other than timber, the following

were noticed:—*Cyanothyrsus ogea*, a magnificent lofty tree yielding the "gum copal" of Southern Nigeria; *Sterculia Barterii*, the best fibres of which are used by the natives for making rope; *Lonchocarpus cyanescens*, from the leaves of which the bulk of the indigo used by the natives of the Western Province is extracted; and *Sterculia tragacantha*.

3. The rubber-yielding plants found here are *Funtumia elastica*, very numerous, and the vine *Landolphia owariensis*. These two species give the best quality rubber. Other species, yielding an inferior product, are the vines *Landolphia senegalensis*, *Landolphia Thompsonii*, *Carpodinus hirsuta*, and *Carpodinus fulvus*; these are fairly numerous in this forest.

4. Taken as a whole the latter is in a very irregular condition, and consists chiefly of secondary growth that has sprung up on the sites of old abandoned farms. The average age of the trees may be estimated at something like 60-70 years, but, of course, some of the largest are much older, and probably represent the "standards" that were spared when the forests were cut down for agricultural purposes. The irregular condition of the growing stock, so far as the most important species such as the mahogany, Iroko, and silk rubber are concerned, is being gradually improved by systematic planting every year, and these areas will undoubtedly soon become valuable assets of the country.

Oshun River Reserve.

5. From the Mamu forests we proceeded to the Oshun River Reserve in the Jebu-Ode District. Until the Oshun River was reached the road passed through well-farmed land and some large native towns, the river forming the natural boundary between the farmed areas and the forest region. As regards the Reserve itself the site has not been very happily chosen, as it is much honeycombed with farms, and the far better forests lying further back from the river have not been included in the reserved area. The most characteristic feature of the forests bordering the stream is the prevalence of almost pure belts of a large forest tree, *Brachystegia spicaeformis*, a species that yields a very hard, heavy wood, and the fibrous bark of which is used for making a coarse native cloth. Further back from the river, in localities that have not been farmed, we came across small patches of lofty forest consisting mainly of trees such as *Erythrophlæum guineense*, *Detarium senegalensis*, and a few mahoganies (*Khaya*). The Lagos silk rubber tree, *Funtumia elastica*, is also found in small quantities within the Reserve.

Jebu-Ode Forest.

6. After leaving the Oshun River Reserve we marched northwards to Ikeri, moving more or less parallel to the river

at a few miles' distance from it. The first portion of the journey was through hilly country well clothed with high, evergreen forest, in which a few very fine examples of both the long capsuled mahogany *Endendrophragma Condelli* and *Khaya grandifolia* were seen. This part of the district is very well watered, and, as there are no villages close by it, should be reserved. Further northwards the forests gradually merged into the "mixed, deciduous" type, which, in its turn, gave place close to Ikeri to the younger growth that springs up on abandoned farms. Between the towns of Ikeri and Ife we crossed a narrow belt of "dry, open forest," which, however, increases in area northwards towards Oshogbo, and is the prevailing type in that locality.

Ife and Ilesha Forests.

7. After crossing this belt the road passes over fairly wooded hilly country that is cut up here and there with farms. Both *Khaya grandifolia* and the long capsuled mahogany, *Endendrophragma Condelli*, are far from uncommon in these forests, which also contain other valuable timber trees such as *Ricinodendron Heudelotii*, *Pterocarpus tinctorius*, *Piptadenia africana*, *Chlorophora excelsa*, and a species of *Sterculia*. The silk rubber tree is quite common about here, and these forests are perhaps richer in that species than are any others in the Province. The Ilesha District contains some very extensive forests rich in plants of economic importance, and as the country is rather sparsely populated there is plenty of wooded land available for reservation. The district is well watered with several large streams that rise in the densely wooded range known as the Effon Hills and the isolated block of Oke Mesi. It is of the utmost importance that the forests at the sources of these streams, which eventually become large rivers near the coast, should be strictly reserved and protected against farming.

Dry Forest between Ede and Iwo.

8. A return was made to Ibadan by the northern road through the town of Oshogbo. Here, again, the Oshun River forms a sharp line of demarcation between the evergreen forests on the east bank and the more open, dry, deciduous forests on the western side. Between the large towns of Iwo and Ede a very dry bit of forest is met with growing on poor, rocky soil. Shea butter trees are plentiful here, as are also other species such as *Acacia catechu*, *Entada soudanica*, *Lophira alata*, species of *Vitex*, *Parinarium anona senegalensis*, the "chew stick" tree, *Anogeissus leiocarpus*, the "balsam copaiba" tree, *Daniellia thurifera*, and the palm *Borassus flabelliformis* var. *Aethiopica*.

9. From Iwo to Ibadan the road passes through open, well-farmed country with some fine examples of the Iroko tree scattered about it.

Central Province.

10. In the Central Province frequent visits of inspection were made by the Provincial Forest Officers to the licensed timber areas and to the numerous rubber plantations scattered over the Province. In addition, the swamp forests between the Forcados, Ramos, and Dodo rivers were examined for the first time by a Forest Officer, and it was ascertained that the mahogany growing in that part of the country was *Khaya Punchii*. Some fine belts of high evergreen forest are met with along the banks of these creeks wherever firm, solid ground is to be found. The bulk of the vegetation, however, belongs to the mangrove swamp type.

Eastern Province.

11. The Provincial Forest Officer visited some unexplored country to the north of the Cross River. He remarks on the forests met with as follows:—

"The forests examined during the year with a view to their reservation were (1) the disconnected forest belts on a portion of the chain of hills (not shown on the map) running in a north-easterly direction from the eastern boundary of the Akaju country, east of the Oweyon River, to the north-eastern boundary corner of the Colony where Northern Nigeria's southern, Southern Nigeria's northern, and the Kameruns' western boundaries meet; (2) The continuous forests clothing the Oban Hills within the area bounded by lines connecting Oban with Ukpot, Ukpot with Ibun, Ibun with Obung, and Obung with Oban.

"(ii.) Each of these hilly localities is an important water divide. Feeders and rivers taking their rise in the former flow from north to south into the Cross River, and from south to north into the Benue. Feeders and rivers taking their rise in the latter flow from north to south into the Calabar and Kwa rivers, and from south to north into the Cross River. The irregular belts of well-stocked forest on the chain of hills first alluded to invariably occur on the summits and declivitous slopes of the bolder hills, and also in the depressions dividing them. The vegetation is more open on the lesser or foot hills, increasing in patchiness till it merges into rolling grassed country, which is scantily wooded by narrow belts of vegetation margining the banks of streams and rivers. *Funtumias* (*elasticas* and *africanas*), *Landolphias*, "Irokos," and long capsuled mahoganies are fairly plentiful; the *Butyrospermum Parkii* (shea butter tree) is numerously distributed in the belts of forest clothing

the bolder hills forming water divide No. 1. Although this was inspected with a view to its reservation, I refrained from recommending the establishment of a forest reserve because the country is under doubtful control owing to its distance from Okuni and its contiguity to the Southern Munshi country. When a new district is established north of Okuni and the country is under close administrative control, I suggest that no time should be lost in creating a forest reserve of the entire chain of hills in this water divide, if only to inexpensively conserve the belts of forest by natural regeneration to maintain the existing rainfall, which ensures the navigability of the Oweyon River for five months in the year, and adds a considerable volume of water to the Cross River, besides copiously feeding the Katsena River and adding volume to the Benue in Northern Nigeria. The area of this proposed reserve will be considerable. Even an approximate guess at it is impossible till the country is brought under administrative control and is safer to travel in.

"(iii.) A forest reserve has been proposed in water divide No. 2, the Oban Hills, where the forests are well stocked with healthy trees grading from first to third class, indicative of normal natural regeneration. The most important economic plants in the proposed reserve are *Funtumias* (*elastica* and *africana*), *Landolphias*, a rubber-yielding *apocynaceous* climber, *Endendrophragma Condelli*, *Chlorophora excelsa*, *Alstonia digitata*, a species of *Diospyrus* (ebony), *Irvingia Barterii*, *Pentaclethra macrophylla*, the camwood tree, and the long-fruited leguminous plant yielding African greenheart. The area within the suggested boundaries of this reserve is approximately 480 square miles. The land outside the boundaries has been farmed principally for yams, corn (maize), and ground-nuts, by quinquennial rotation. The area in this reserve has practically not been cultivated, hence the proprietary rights of villages outside the boundaries are doubtful; nevertheless, inquiries are being made with a view to acquiring the area as a forest reserve from the villages of Oban, Aking, Owo, Ofong, Ukpot, Ibun, and Obung."

II. ALTERATION OF AREA.

Reserves.

Western Province.

12. During the year under review the area of reserved forests in the Western Province has not been added to, though some forests in the Jebu-Ode and Ilesha Districts were examined with a view to such reservation. The process of acquiring reserves in the Western Province is, however,

a long and tedious one as the inhabitants are very suspicious of any interference with their rights to the land and the produce growing on it.

13. In this connection the Ibadan authorities are to be congratulated on having already for some years past put aside an area, known as the Ibadan State Reserve, for this purpose.

Central Province.

14. The council of native chiefs in Benin City passed a law reserving the forests for 1,000 yards back along both banks of all the rivers in that district, and the same laws have been passed by native councils in the Warri, Sapele, Agbor, and Ifon Districts of the Central Province.

This is a very important move in the right direction, and not only ensures the protection and regulation of the water supply of the country, but also reserves to the natives the most accessible and easily exploitable areas for the production of large timber.

15. The proposed elephant reserve near Gilli-Gilli had not been formed before the close of the year, but it has since been declared a game reserve. Reserves for the permanent supply of fuel to launches plying up and down the Niger are also in process of formation, but the necessary procedure in connection with them was not completed during 1906.

Eastern Province.

16. In the Eastern Province proposals were put forward for a large tract of forest, on the Oban block of hills, being taken up both as a forest and a game reserve. The reservation has not been completed, and some difficulty is being experienced in getting the natives to agree to the proposals.

Other areas on the ranges of hills north of the Cross River were inspected and selected for reservation by the Provincial Forest Officer; owing, however, to their inaccessibility to direct administrative control, it is doubtful whether they can be taken up as reserves for some years yet.

III. FOREST PROTECTION.

GENERAL.

17. The protection afforded at present to the forests is far from satisfactory; with the increased areas that will eventually be brought under reservation it is hoped that matters will improve and that a more efficient system will be introduced.

In the case of timber concessions and leased areas a certain amount of protection is afforded against the indiscriminate felling of timber for trade purposes, but the greatest danger of all, viz., the extermination of the forests by excessive and wasteful farming, has still to be dealt with. Much good will be done by the judicious selection of reserves and their strict protection, but this is a matter of time; meanwhile, the destruction of the forests continues and, unless checked, it will eventually necessitate the wooded areas being augmented by the creation of forest plantations, a long and costly operation. Fires do a lot of damage to vegetation in the "dry zone," the forests of which belong chiefly to the "deciduous type." Not only are the young trees cut back annually by these fires and thus stunted in their growth whilst others are wiped out altogether, but the spread of grass into the wooded areas is considerably assisted at the expense of other species. The wooded country thus gets gradually converted into the "open grass lands" of the hinterland. This process is, of course, hastened by the indiscriminate felling of the forests for farming purposes.

In districts subject to a heavy rainfall such as those situated in the deltas of the Benin, Niger, and Cross rivers, fires can make but little headway, and the general vegetation, which is evergreen in these localities, is capable of successfully competing with the grasses; but the case is different in the inland district with an annual rainfall not exceeding 50 inches. Here the forests are deciduous; they shed their leaves annually during the dry season, thus furnishing a layer of very inflammable material, and the grasses, thanks to their underground stems (rhizomes), rapid growth, and their extraordinary recuperative powers, can then, with the help of the much greater damage done to other deciduous vegetation by the annual fires, take complete possession of the soil. The latter gets exposed annually to the sun at the time that the fires are most prevalent, the ashes get washed away into the streams by the early rains, and the soil thus gradually deteriorates and eventually becomes incapable of growing anything except the coarser varieties of grass.

The encroachment of the grass lands on the wooded areas is proceeding at a rapid pace, and its prevention by means of proper fire protection is one of the most important functions that the Forest Department has to undertake.

Forest Offences.

Western Province.

18. In the Western Province, the four Government Reserves, viz., the Ilaro, Olokemeji, Mamu, and Oshun River Reserves, as well as the Ibadan State Reserve, were more or

less protected as far as it was possible to do so under the law of trespass, which appears at present to be the only law applicable to such areas. Special rules for the protection of Government Reserves have been proposed, and when passed it is to be hoped that more effective measures will be available for this purpose.

Olokemeji Reserve.

19. Fire protection had to be adopted in the case of the Olokemeji Reserve which is situated within the "dry zone" area, and is, therefore, specially exposed to damage from the annual fires. It was, however, only possible to include a very small portion of the reserve, viz., the area on which plantations exist, within the fire-trace belt.

Ilaro Reserve.

20. Regarding the Ilaro Reserve the Acting Provincial Forest Officer writes as follows:—

"The protection of the Reserve has been strictly maintained throughout the year. There have been several arrests of persons trespassing and damaging trees, but very few convictions have been obtained. The Illobi people continue to show bad feeling against this forest, and frequently make raids into it for the sole purpose of causing annoyance."

Central Province.

21. In the Central Province there was one prosecution under Rule 12, Section 2 of the Timber Rules, R. No. 6 of 1905, and nine prosecutions under the Rubber Rules, R. No. 7 of 1905; of the persons implicated four were discharged, the rest being imprisoned for periods of from two to six months.

22. Both the timber and rubber rules are now working very smoothly in the Central Province, more especially in that portion that comprised the old Western Division of Southern Nigeria. The chiefs have taken an active interest in protecting their forests, and the inhabitants are becoming very law-abiding in this respect. Of course, forest organisation has reached a higher level here than in the other Provinces. Nevertheless, this satisfactory state of affairs shows what can be done by means of proper organisation and enlisting the sympathies and confidence of the native communities. The Provincial Forest Officers are to be congratulated on the way in which they have educated the native communities up to realising the importance of taking an active part in forest protection.

Eastern Province.

23. The illicit tapping of rubber continues on a large scale in the Eastern Province where the densely wooded country, the want of good roads, general inaccessibility of the forests, and the paucity of the establishment maintained for the purpose of enforcing the laws, all contribute towards such a state of affairs.

The difficulty is further increased by the fact that the Province is inhabited by a large number of different clans with little or no system of organized Government amongst them; it is thus very difficult to work through the chiefs who have scarcely any real control over their subjects.

IV. REGENERATION OF FORESTS.

Natural Regeneration of Forests.

24. There is nothing of great importance to record under this head. Mahogany growing in the evergreen forests seeds well and plenty of young plants sprout up, but, owing to the dense cover overhead, they become suppressed, and the majority die before ever reaching the sapling stage.

25. Under the new timber rules lease-holders have the option of either planting out a certain number of plants to replace the old ones that have been felled, or they can, by thinning, weeding, &c., "tend" the naturally grown seedlings. Large numbers of the latter have thus been freed from dominant growth and, as a rule, look much healthier than those raised artificially from seed. The opportunity is also taken by Forest Officers when travelling through mahogany forests to employ their carriers, during the days on which they halt, in freeing the young seedlings from excessive shade and weeds.

26. In the open deciduous forests the different species tend to grow gregariously in small groups, and here natural regeneration is, as a rule, much more satisfactory.

The following species are most prolific in this respect:—*Anogeissue leiocarpus*, the chew-stick tree; *Lophira alata*, the dwarf ironwood; *Daniellia thurifera*, the balsam copaiba tree; *Butryospermum Parkii*, shea butter; *Acacia catechu*, the cutch tree; *Mimusops multinervis*; *Diospyrus mespiliformis*, one of the ebonies; *Crossopteryx Kotschyana*, species of *Pseudocedrela; Brachystegia spicæformis; Afzelia africana;* and the palm, *Borassus flabelliformis.*

Plantations.

(*a.*) Plantations in Reserved Forests.

Western Province.

27. In the Western Province the planting up of the Ilaro, Olokemeji, Mamu, and Oshun River Reserves, with the Ire rubber tree (*Funtumia elastica*) was continued during the year. This was more particularly the case with the Mamu Reserve, where extensive plantations, probably the best of their kind on the coast, now exist. The reserve has been divided systematically into compartments, some of which are taken in hand annually and planted up with that species. Estimates based on very low figures for each compartment give the present stock of rubber plants at just over half a million, several thousands of which will very shortly be ready for tapping.

The planting is done under forests that have been thinned so as to afford ample space and light for the young plants. The method has proved very successful, is far cheaper than clear fellings, and approximates more to the natural conditions under which the species grows.

28. The Acting Provincial Forest Officer of this Province reports as follows on the planting done in the four Government Reserves, and also supplies some interesting figures regarding the growth of *Funtumia elastica*:—

"Mamu Government Reserve.

29. "In the early part of the year the first eighteen compartments, *i.e.*, B. to T. of No. 1 Plantation, were cleared of all undergrowth. The first six of these did not require any further planting, as they are entirely filled with rubber (*Funtumia elastica*), and should not require anything further doing to them except perhaps an occasional light brushing.

"During May, June, and July the latter twelve compartments, *i.e.*, H. to T., were filled up. These will have to be cleared once or twice during the coming year, but should not require any further planting. In February and March a ten-acre plot was entirely cleared of forest growth, and in June this was planted up with Para rubber (*Hevea brasiliensis*). Bananas were planted between the rows of rubber to give the young plants shade during the first dry season. These young rubber plants are growing remarkably well and there are very few failures.

"The cost of the plantation up to 31st December is as follows:—

	£	s.	d.
Cost of clearing 10 acres of all trees and undergrowth	26	8	6
Cost of planting, weeding, and general maintenance	25	5	4
	£51	14	0

"The latter portion of the year has been spent in clearing compartments for next year's planting and in brushing those already planted up.

"A large number of Ire rubber plants were raised and distributed to the farmers in the Government Forest and the Ibadan State Reserve.

"As mentioned above, the first six compartments are now sufficiently full of *Funtumia elastica*, and a count has recently been made of the trees in each; one hundred representative trees have also been measured in each compartment. The figures obtained are as follows:—

Table I.

Compartment.	Number of trees.	Average height.	Average girth at four feet from base.
		feet.	inches.
B	7,891	13·72	7·29
C	19,175	12·72	6·13
D	16,927	11·25	4·75
E	16,230	10·76	4·49
F	8,364	10·55	4·64
G	13,102	11·46	4·78
Total ...	83,689	70·46	32·08
Averages ...	—	11·743	5 346

"Thus there are in the six compartments 83,689 trees of an average height of 11·743 feet and an average girth of 5·346 inches.

"In 1901 one hundred *Funtumia elastica* trees were marked and the *diameter* measured at four feet from the base; these have been measured every year since, and I now give the figures obtained. Unfortunately five of the trees have died in the interim, so that the figures given below represent the average of 95 only:—

Table II.

Totals.	Average of 95 trees.	Average increment.
	inches.	inches.
1901	5·36	—
1902	5·65	0·27
1903	5·88	0·23
1904	6·05	0·17
1905	6·13	0·08
1906	6·62	0·49
Average growth in five years		1·24
Average annual increment of growth for five years		·248

"All of these trees had been very severely tapped previous to our taking over the forest from the native authorities, therefore the figures do not represent normal growth.

"For comparison with these I give below figures of measurements of 50 untapped young trees in the Mamu nursery taken over a period of four years, *i.e.*, 1903 to 1906:—

Table III.

Year.	Average diameter of trees.	Average increment of growth of 50 trees.
	inches.	inches.
1903	2·33	—
1904	3·20	0·87
1905	3·995	0·795
1906	4·980	0·985
Average growth of 50 trees in three years ...		2·650
Average annual increment of growth for three years		0·883

"It will be seen that the annual increment of growth of untapped trees is greater by over half an inch than that of tapped trees, thus showing that the trees referred to in Table II. have not yet recovered from the effects of a tapping which took place eight or nine years ago.

"*Olokemeji Government Forest.*

30. "During the early part of the year the boundaries of this reserve were cleared, and cement pillars were erected at the corners and at intervals along the line to replace the old wooden boundary marks. The protection work is carried out by a Forest Ranger and a staff of forest guards. It is

a very difficult reserve to guard as there are so many villages in it and the villagers require constant watching to prevent them from cutting timber, &c.

"Another feature of this reserve is that a great portion of it is open grass land, which in the dry season is very difficult to protect from fire. The sale of timber and chewstick trees during the year has not been great, but a larger demand may be looked for in the near future, as the available timber outside of the reserve is becoming very scarce. The amount realised from timber sales is given in another portion of this report.

"With regard to planting, it is considered that the soil and climate of Olokemeji is not suitable for Para or the indigenous rubber. The farmers have, therefore, been encouraged to plant up Iroko, shea butter, and other trees more suited to the locality.

"In addition to this planting done by the farmers many disused farms and other vacant areas have been planted up by the forest staff. The plantations of Iroko and *Ficus elastica* begun in 1905 have been looked after and added to. In all, about 9,000 plants of Iroko, shea butter, and *Ficus elastica* have been put in.

"Ilaro Forest Reserve.

31. "During the rains about six acres of land, which had been cleared in the early part of the year, were planted up with *Funtumia elastica*, and all vacancies in former plantings were made good. In all about 11,800 plants were put down. There are now a large number of very fine rubber trees in the Ilugburo portion of the reserve, many of them being between 8 and 10 inches in diameter."

32. The figures given in Tables II. and III. of Mr. Foster's report appear to indicate that *Funtumia elastica* takes some years to recover from the effects of tapping as compared with the high recuperative powers of the Brazilian plant, *Hevea braziliensis*. However, only experiments carried out on a very large number of Ire rubber trees can conclusively decide this point.

Para Rubber Plantations.

33. In addition to the small plantation of this species in the Mamu Reserve referred to in the extract from the Provincial Forest Officer's report given above, another plantation was started during the latter part of last year at Agege, but, owing to an exceptionally poor rainfall, quite 50 per cent. of the young plants succumbed out of the 2,000 put down. The survivors have now, however, become thoroughly established and are showing fairly good growth.

The cost of planting up the 26 acres with this species amounted to—

	£	s.	d.
Clearing the land	96	11	3
Planting and maintenance	65	19	3
Total ...	£162	10	6

which works out to an average of £6 5*s.* per acre.

Rate of growth, Para rubber.

34. Measurements have been taken of the Para rubber trees growing at Ebute-Metta and Olokemeji. The figures are as follows:—*Ebute-Metta*, 6 trees planted in 1895, average girth at three feet from the base, 29·33 inches; largest tree, 43 inches. *Olokemeji*, 25 trees planted in 1902, average girth at three feet from ground, 11·74 inches; largest tree, 16½ inches.

Central Province.

35. Steady progress continues to be made in the establishment of *Funtumia elastica* plantations all over the Central Province, and it is very gratifying to see that the natives, more especially of the Benin City District, are now going in for small *private* plantations of their own as distinguished from communal ones. This is, of course, in addition to the large number of plantations of the latter kind that have been created during the year.

There are now 916 plantations containing 678,000 plants in that Province as well as 134 plantations containing 80,000 plants in the old Central Division.

36. During 1906, rubber plantations, 369 in number, containing 167,135 plants, were made in the Benin Districts, and 134 plantations, 40,320 plants, in the Niger region, as compared with 119,800 and 31,832 plants respectively for the previous year.

37. The Provincial Forest Officer reports as follows on the plantation work of the Province:—

"The feature of the year, however, has been the number of small private plantations made by individual natives, although it is difficult to say exactly how many have been made. There is no doubt that the natives of the Benin Districts of this Province are, with a few exceptions, now thoroughly alive to the value of looking after their rubber trees. . . . . The Sobos showed signs of interest in the planting of rubber, but they were too much engaged in road-making to make many plantations. It is a question as to whether they should be encouraged in this matter. My experience tends to prove

that where natives have taken up the rubber trade they have invariably dropped that in palm oil."

38. This is a point that should not be lost sight of when introducing new industries into Southern Nigeria. The trade in palm oil and kernels is the mainstay of the country, which practically has a monopoly in it, consequently any industries likely to seriously compete or interfere with it ought to be introduced with great caution, otherwise a practical monopoly will be replaced by industries over which this coast can never hope to have the same exclusive control as it has in the case of palm oil.

Rate of growth of Funtumia elastica.

39. During the year a large number of rubber trees in the different plantations were measured, and the following average girths were recorded for the different ages:—

Planted	previous to	1902	(girth)	1 foot 2 inches.
„	during	1902	(girth)	7·4 „
„	„	1903	(girth)	6·6 „
„	„	1904	(girth)	4·8 „

Para Rubber Plantations.

40. The interest in Para rubber continues, and Messrs. Alexander Miller Brothers, who were the first to go in for a plantation of this species in the Central Province, procured 30,000 more seeds, out of which 16,356 had germinated up to the end of the year. The Provincial Forest Officer reports as follows on this subject:—

"*Para Rubber.*

"The African Association's Rubber Plantation at Warri was inspected in September and November, and the plants appeared to be making fair progress, but this firm does not appear to wish to do more than experiment.

"One hundred and sixty plants were planted 16 feet apart. Since then this firm has received 2,000 seeds, but no report on these has been sent in.

"Messrs. Alexander Miller Brother & Company have gone whole-heartedly into the work. In January some 6,800 and in June 7,740 plants were planted out.

"Thirty acres cleared of all roots were planted with seedlings three feet apart. Sixty acres part cleared but with roots left in, and part with lines merely cleared, were planted with seedlings 15 feet apart.

"Some of these plants appear to have outgrown their strength and have had to be supported, some are regular, while those nearest the swamp look somewhat stunted.

"This energetic firm has since received 30,000 seeds, 16,356 of which have germinated.

"In November some 8,837 seeds were received in Benin City and a nursery made; only 2,801 seeds, however, germinated.

"In December a nursery was made in Sapele, and out of 1,756 seeds 543 germinated.

"It has been noted that the packages of seeds sent forward in open baskets are in far worse condition than those sent in wooden cases screwed down tight.

"The Para plants planted in the forestry compound on the 5th May, 1905, are growing steadily and are now 12 to 15 feet high."

Eastern Province.

41. In the Eastern Province little has been done in the way of making plantations of rubber. A few of the European trading firms have small areas planted up with *Funtumia elastica* and *Ficus elastica,* but there has been little active interest taken in the matter by the natives, who as a rule are fully engaged in the palm oil trade. Rubber trees have been planted in most of the district stations and along some of the main roads in Calabar. A large number of seeds of the Para rubber tree were imported and sown in the Botanical Gardens, from where the young plants are being gradually distributed as required. This Province has suffered a good deal for want of supervision by an European Forest Officer, and has frequently been without one for months at a stretch. The claims of the other two Provinces in which forest organization has made greater progress have received first consideration when the department becomes short-handed by losses from death and the absence of officers on leave.

PLANTATIONS IN TIMBER CONCESSIONS AND LICENSED AREAS.

Western Province.

42. The timber concessions in the Western Province are not under the control of this Department, and I am unable to say whether any young plants have been put down to replace the mature trees felled.

Central Province.

43. The Provincial Forest Officer of the Central Province reports that rather over 35,000 seedlings of mahoganies (*Khaya, Pseudocedrela* and *Endendrophragma*) were planted out by timber leaseholders, and that this number was largely supplemented by freeing from dominant growth suppressed

seedlings growing naturally in the forests. Such seedlings as a rule turn out stronger plants than those raised in nurseries and afterwards transplanted out in the forests. *See* Return No. 3.

Eastern Province.

44. For the reasons mentioned in paragraph 41 of this report, under the heading Rubber Plantations, little or no planting of other species has been carried out in the Eastern Province.

V. EXPLOITATION OF MAJOR FOREST PRODUCE.

(TIMBER.)

General.

45. The number of logs exported from Southern Nigeria during 1906 was 20,274, valued *locally* at £68,718, as against 13,442 logs, valued at £49,557, of the previous year. The increase is mainly due to the better prices offered in the home markets during the year, and the consequent impetus given to the export trade. The bulk of the timber was procured from West African mahoganies belonging to the genera *Khaya*, *Pseudocedrela*, and *Endendrophragma* of the natural order *Meliaceæ;* a fair number of logs were also cut from a species of *Gaurea*, and realised good prices in Europe.

The exports are divided up amongst the three Provinces as follows:—

Western Province.		Central Province.		Eastern Province.	
Logs.	Value.	Logs.	Value.	Logs.	Value.
5,673	£ 19,184	14,627	£ 49,028	120	£ 506

46. A large quantity of timber felled in the Western Province is exported through Central Province ports, so the figures from the latter really refer in part to both Provinces. Data regarding the exact number of logs felled in the former Province are not available, and as the timber felled in one year is very often not shipped to Europe till the ensuing year it is difficult to ascertain how many logs cut in any one year are exported during that year.

Western Province.

47. In the Western Province the control of timber concessions rests with the District Commissioners, though the Forestry Department is sometimes asked for advice regarding the terms under which such concessions should be granted.

48. The Provincial Forest Officer in his report for 1906 states:—

"*Forests, General.*

"*Timber.*—The exploitation of timber is rapidly increasing, and in consequence the available supply, *i.e.*, that near lines of transport is becoming exhausted. There are large numbers of concessions in the Province mostly worked by Europeans. These concessions are not at present under the control of the Forestry Department, but are usually accorded a sort of general supervision by the District Commissioner in whose district they happen to be.

"The terms on which concessions are granted vary in each district. The rule in the Ondo District seems to be that the concessionaire pays £1 per square mile for the area taken up and 10*s.* per tree royalty on all trees cut. In Badagry nothing is paid for the concession, and the royalty varies from 12*s.* to £1 per tree, according to the district in which it is cut.

"In Ibadan and Egba no concessions are given, but people are allowed to cut timber on payment of 5*s.* per tree. These people often cut half-grown trees, and unless something is done to prevent this promiscuous cutting, the supply of useful timbers will soon be exhausted.

"The large and increasing demand for Iroko (*Chlorophora excelsa*) for local purposes would seem to render it advisable to increase the planting of this useful tree."

Central Province.

49. As regards the Central Province it is possible to give fuller details of the year's exploitation.

Timber was extracted during 1906 from 27 licensed areas in which 3,111 trees were felled, yielding 7,426 logs, measuring in all 687,447 cubic feet; these figures compare favourably with those of previous years, and 540 more trees were felled than in 1905.

50. The revenue derived from this timber amounted to £9,156, of which £1,505 were paid to the chiefs as royalty, compared with a total revenue of £6,302 received during 1905.

Firms engaged in the Timber Trade.

51. The following firms were engaged in timber exploitation during the year:—

Messrs. Alexander Miller Brothers.
„ W. B. McIver & Company.
„ McNeil & Scott.
„ Pinnock Stores, Limited.
„ J. G. M. Cranstoun & Company.
„ Bey & Zimmer.
„ The Nigerian Mahogany and Trading Company.
„ I. T. Palmer & Company.

Returns of Timber Exploitation.

52. Details of the areas worked, number of trees felled, &c., by each of these firms are given in returns numbered 4, 5, and 6.

A good deal of "red-wood" (*Pterocarpus tinctorius*) was exported to Lagos during the year *viâ* the Ogba River.

Concessions and Licensed Areas not Exploited.

53. Thirty-five of the small areas (of nine square miles each) granted under the old rules, R.N.O. 4 of 1901, were not worked in 1906 owing to the large timber in them having become exhausted. Five other small areas, though still dealt with at the end of the year. *See* returns, numbers exploited last year.

Applications for Timber Licence.

54. Applications for 31 licences were made, and out of these 13 were provisionally granted, leaving a balance of 18 to be still dealt with at the end of the year. *See* returns, numbers 7 and 8. The procedure connected with the granting of these licences is of necessity a long one, the titles of the grantors to the land have to be enquired into, their consent obtained, and the financial stability of the applicants ascertained. Again the applications themselves are very often not in order, and they frequently partially or wholly overlap areas already granted; new applications are then made and the whole process gone through again. This involves a deal of correspondence which in the event of the applicants residing in distant countries means a matter of some months' delay before the provisional sanction can be granted.

If all applicants were to appoint properly accredited agents out here to look after their interests there is no doubt that such delays could be considerably shortened.

55. On the whole the work was carried out in harmony with the native communities concerned, but the disputes that occur between native contractors and labourers is still an unsatisfactory feature of this large industry. More European supervision on the part of the firms engaged in the timber trade appears necessary, and the payments should in the case of ration money, at all events, be made by them direct to the labourers and not to the contractors. It is usually this ration money that is diverted by the latter for other purposes. There have been a few boundary disputes between some of the firms, but these were settled privately by them.

Eastern Province.

56. In the Eastern Province there are seven licensed areas for which provisional sanction to begin work has been granted. Two are situated in the Brass District, one in the Degama, one in the Okuni, and three in the Calabar District. Attempts have been made to exploit only three of the seven areas. The two in the Brass District had to be abandoned after an energetic start was made, in deference to the wishes of the natives who require the timber growing there for the manufacture of trade canoes. The remaining area is situated in the Calabar District, and has been worked by Chief Effion Otu Ekom, with more or less success since he, with the Provincial Forest Officer's advice, adopted the system of shipping his logs home direct instead of through a local agent.

In all, 120 logs were exported, and the year under review is the first in which timber exploitation for the home market was undertaken in this Province.

57. Applications for three licences to fell timber were received during the year. Two of these were for areas situated in the Brass District and could not be considered owing to the attitude of the natives, and the remaining one was for a tract of country in the Calabar District. Provisional sanction has not yet been granted for this area, as the power of attorney given to the local agent of the firm who applied for the licence is not in order.

Efforts to place West African Woods on the European Market.

58. Further efforts were made during the year to place other kinds of African woods on the European market. The firm of Messrs. Alexander Miller Brothers were most energetic in this respect, and deserve great credit for the enterprise shown by them.

Chief Timbers exported from Southern Nigeria.

59. At present the chief timbers exported from Southern Nigeria are:—

(1.) Mahoganies of the genus *Khaya*, known to the Benis as "gadeau" or "ogwangu." There are three species found in these forests, viz., *Khaya Senegalensis*, *Khaya grandifolia*, and *Khaya Punchii*, the latter being apparently confined to areas that are under water for several months of the year. The timbers of all three species are much in demand at home and have realized very good prices during the year. They are generally known in the trade as "Benin mahogany."

(2.) Mahoganies of the genus *Endendrophragma*, one identified species of which, viz., *Endendrophragma Condelli*, is known to the Benis as *Ikpwapobo*. It is the "unscented," long-capsuled mahogany, and furnishes a higher percentage of "figured" logs than the other species. The timber from this tree had a bad name last year (1904-1905) in the Liverpool market as it was said to be rather "gummy" and difficult to cut into thin pieces for veneering purposes. However, since (at the advice of this Department) the system of girdling the trees and thus allowing them to die off gradually and become properly seasoned has been adopted, the wood has regained its good name and realized higher average prices during 1906 than *Khaya* timber. It is most plentiful in the drainage areas of the Jamieson and Ethiope rivers of the Central Province.

(3.) Mahoganies of the genus *Pseudocedrela*.—There appear to be at least two unidentified species of this genus found in Southern Nigeria. The one generally exploited is known to the Benis as "Onomokyukyu," and in the Liverpool market as "Sapele mahogany." Since the adoption of the "girdling" method of seasoning, the timber has been sold in Europe at very good prices. The timber is scented like cedar and the tree has a long capsule similar to that of the *Endendrophragmas*. This species is perhaps most plentiful in the well-wooded valleys of the hinterland; in the moist zone it is confined to high, dry ground. The timber of another species of *Pseudocedrela*, known to the Benis as "Apobo," and "African walnut" in the trade, is also exported to Europe.

(4.) Timbers furnished by various species of *Gaurea*, only one of which, *Gaurea Thompsonii*, has so far been named. The two kinds exported to Europe are known by the Benis as "Obobonikwi" and "Obobonufwa." They have been exported to Europe under the general trade name of "cedar," "Benin mahogany." The species of *Gaurea* appear to be confined to the moist evergreen forests.

All the above-mentioned plants belong to the natural order *Meliaceea*, which also includes the Honduras or true American mahoganies and cedars of the genera *Sweitenia* and *Cedrela*.

Timbers Recommended for the Export Trade.

60. The following species should also be exploited in addition to those just mentioned, as they have been favourably reported on by timber brokers at home; they are—

(5.) The Okwen of the Benis, or *Ricinodendron Africana* (*Ricinodendron Heudelotii*) of botanists, belonging to the natural order *Euphorbiaceæ*. This timber has been described as that of a "species of mahogany" and declared to be suitable for the European market. It is very common in the evergreen forests of this country, but does not reach such large dimensions as some of the *Khayas* and *Endendrophragmas*.

(6.) The Ainyesan, a yellow satinwood that has fetched as much as 6½*d*. per superficial foot at Liverpool. The timber, however, is of uncertain quality and only picked pieces have realized that price. It is fairly plentiful in the Benin Districts.

(7.) The Ugo of the Benis, Atalla of the Jekris—another unidentified species. It has been reported on as "a mahogany of mild texture and fairly good colour," and valued at 3*d*. to 6*d*. per superficial foot.

(8.) The Nikiba of the Benis, described as "a species of gummy mahogany," valued at from 2½*d*. to 3½*d*. per superficial foot. The botanical name is not yet known.

(9.) The Aganokwi, *Mimusops multinervis*, a tree yielding a good rich coloured hardwood resembling mahogany; it is frequently figured, and should command a ready sale in Europe. The species is very plentiful in some of the moist evergreen forests of the Protectorate and has a tendency to grow gregariously. It has been exported home under the general trade name of mahogany.

(10.) The Arachi, *Afzelia Africana*, another tree that yields an excellent hardwood. It is quite plentiful in parts of the Onitsha Districts and again in the mixed forests of the Western Province. It is largely used in the Central Province for furniture and building purposes.

(11.) The Eba, or red iron-wood tree. This is known to botanists as *Lophira procera*, and, unlike its congenor, *Lophira alata*, of the dry open forests, is confined to the fresh water swamps of the moist zone, where it is plentiful, more especially in parts of the Benin City District. The wood is very hard, close-grained, and heavy, and is said to resist the attacks of both white ants (Termites) and the Toredo

worm. It should prove suitable for all purposes where strength and great durability are required. The wood is, however, rather difficult to work. Experiments are being undertaken with a view to ascertaining its suitability for railway sleepers.

(12.) The Odonomokyukyu, of the Benis, a species of *Santeriopsis* (probably *Santeriopsis Klaineii*) common in the evergreen forests of this country. The wood is much valued in the French and Belgian Congos, and is sometimes exported to Europe.

(13.) *Detarium Senegalensis;* a magnificent lofty leguminous tree, the wood of which has been exported in past years to Liverpool under the trade name of "African mahogany." It is confined to the evergreen forests and is rather uncommon.

(14.) The Agba, of the Benis, an unidentified tree with a light-coloured wood that has also been exported from the Benin District as a kind of mahogany. It is fairly common in some districts of the Central Province.

(15.) The Iroko, *Chlorophora excelsa*; one of the best timber trees of West Africa. It is most plentiful north of the evergreen belt, and its wood is extensively used on the coast for making furniture and for building purposes. The timber is very durable.

From the above list it will be seen that there is a large assortment of different kinds of wood available in Southern Nigeria for the export trade, and no doubt this list will be augmented from time to time as other species become known.

The "camwood" of Southern Nigeria is procured from two species of leguminous trees, viz., *Baphia nitida* and *Pterocarpus tinctorius;* the latter is a large tree confined to the moist evergreen forests. *Baphia nitida* is rather inclined to be shrubby, and appears to be extensively cultivated round villages. I do not think that it is found growing wild in the forests in any large numbers.

61. There are two other hard-wood trees found in the moist evergreen forests of the eastern portion of the Western Province and the southern portions of the Central Province deserving mention. They belong to the genus *Piptadenia* (natural order *Leguminoseæ*) and attain large dimensions. The timbers of both are excessively hard and almost indestructible, as they contain an essential oil that protects them against attacks from insects. The larger species (Okan, of the Benis, is known locally as the African "Green-heart," and is used for house construction. The wood, however, being exceedingly hard, is difficult to work, and is consequently not as frequently employed as some of the softer and less durable kinds.

The other species appears to be *Piptadenia Africana*, known to the Benis as the Ikhimi; the wood is much lighter in colour than that of the Okan, but is just as durable.

62. Of soft-wood trees there appears to be only one species, the Obeche of the Benis, that is likely to furnish timber suitable for the home market, or to replace locally the large quantities of pitch pine imported from Europe. The timber is fairly close-grained, light-coloured, easy to work, and very durable. It has been extensively used by the Public Works Department for building purposes along the Niger. The tree is either a species of *Sterculia* or a *Cola*, and has not yet been identified botanically. It reaches large dimensions, is fairly common, and has a tendency to grow gregariously; the natural regeneration is also good, and if the timber ever comes into general demand, there will not only be a large supply immediately available, but it will be a comparatively easy matter to get the age gradations into a more or less normal state for future demands.

63. An unnamed species of *Terminalia*, common in the mixed forests of the Central and Western Provinces, is also likely to furnish timber suitable for the home markets. It is a tree of lofty growth and exceptionally good "form figure," the girth being well maintained up to a great height. The Yoruba name of the tree is Epepe.

Ebonies.

64. The ebony exported from Southern Nigeria is furnished by two species of *Diospyros*, viz., *Diospyros mespiliformis* of the mixed forests and *Diospyros dendo* of the evergreen forests. The former is still fairly plentiful, but the majority of the large trees belonging to the latter species have been practically exhausted in the drainage areas of the Calabar and Cross rivers, from which the bulk of the Southern Nigeria ebony used to be exported. The natives have now taken to felling immature trees of this species, and the supply of large billets suitable for the home markets will rapidly diminish in the near future.

Prospects of profitably exploiting West African timbers other than Mahoganies and Cedars.

65. As regards the prospects of profitably exporting timber other than mahoganies and cedars to Europe, it may be mentioned that under the existing conditions of freight, labour, &c., it does not pay to export woods that realise less than 3*d.* per superficial foot. A large number of different kinds of West African timbers can easily command from 2*d.* to 2½*d.* a superficial foot in the Liverpool market if presented in the form of sound, carefully prepared, and seasoned logs, but, unfortunately, the expense of hauling the timber by

human labour is too great to admit of any profits being made from such prices.

Mechanical Appliances and Draught Animals.

66. The timber industry of Southern Nigeria can never be developed to its full extent unless human labour is replaced by mechanical appliances or by the employment of draught animals; supervision by European contractors skilled in the use of such appliances would also be necessary.

Limit of Hauling Distance.

67. The cost of hauling practically restricts the exploitation of the forests to within four miles of the banks of the larger rivers capable of floating logs; beyond that distance the cost becomes prohibitive. This in itself is not an unmixed evil, as a certain amount of protection (provided the forests are not destroyed for farming purposes—an ever-present danger) is thus afforded to the remoter forests, which will become available as a source of supply as soon as the conditions of the country have been sufficiently developed to permit the employment of improved methods of timber extraction.

Condition of Growing Stock.

68. As regards the condition of the growing stock, there is, generally speaking, with reference to the more important timber trees, a large deficiency in the girth classes of medium age, viz., between saplings and trees that have reached exploitable dimensions. This great gap in the age gradations shows that the forests are in a very irregular condition, one that requires careful treatment, and entails the lapse of a long transition period before it can become anything like normal.

69. There is, in fact, a surplus of mature timber, but, owing to the deficiency in the other classes, this surplus has to be carried and utilized over a very long period until such a time as the normal age gradations have been established. In accordance with this principle it has been found necessary, pending the introduction of more exact working plans, to limit the minimum felling girth of the more important economic trees to a very high figure—a rough and ready arrangement that at all events not only leaves a sufficient number of mature seed-bearers for the regeneration of the forests, but also provides for a supply of timber in the near future.

Effect on Forests of Farming.

70. In areas where farming has been carried out in the past, and practically the whole of the wooded portions of

the country have at some time or other been subjected to that treatment, the gaps between the two extreme age classes of young saplings and mature trees has been further emphasized, the mature plants having been left as standards from one farming rotation to another whilst the youngest growth, consisting mainly of coppice shoots, has frequently never had a chance of reaching a greater age than that of one farming rotation. Of course, owing to inter-tribal wars, the population of certain areas and the invasion of others by migratory tribes and clans, the period since some of these areas were last farmed varies considerably, so that in a few cases the secondary growth has been left intact long enough to have practically acquired the character of a "high forest."

Practical Extermination of the Primeval Forests.

But such instances are uncommon and, on the whole, not only have the primeval forests been exterminated, but the secondary ones that replaced them have very often changed their character. Species that regenerate themselves well by means of coppice and stool shoots have been favoured in the struggle for existence at the expense of those dependent mainly on regeneration by seeds. The result is that the forests consist, generally speaking, of more or less even aged woods with large "standards" left over from the different farming rotations; but the species thus favoured by the action of man are in general not those that happen at the present moment to be of economic importance.

The standards consist of trees which have escaped felling either on account of their size, the hardness of the wood, or by being considered sacred by the natives.

71. Efforts have been made in a few of the Government reserves to improve the condition of the growing stock by means of regeneration, felling, and forest plantations.

The greatest danger threatening the forests of Southern Nigeria—extermination of the latter by the Native Farmers.

72. The greatest danger threatening the forests of Southern Nigeria is that of their extermination for farming purposes. If a sustained supply of large timber for the future is to be realised it is imperative that this annual destruction of the forests be regulated and restricted to within reasonable limits. The system of farming adopted by the natives in the better-wooded portions of the country is one of the most wasteful known, so much so that, in the case of an exactly similar system in India the Government has been obliged to intervene by prohibiting it in certain areas and regulating it in others under the provisions of special laws passed for that

purpose. The method of cultivation employed by these natives necessitates the clearing of much larger areas of forest land than are required by any of the more modern systems, and it will easily be seen that when the population of the country increases, as it is bound to do under prolonged British rule, a time will come, and that at no very distant date, when the forests, as such, will cease to exist.

Best methods of dealing with the danger.

73. In the tropics and, indeed, almost universally, the most successful methods of dealing with this danger have proved to be—

(*a.*) The establishment of forest reserves of a sufficient total area to ensure an adequate future supply of large timber and other forest produce. In countries where forest administration has been introduced on rational grounds it has been ascertained that at least from 20 to 25 per cent. of the wooded area is required for the purpose of such reservation;

(*b.*) The adoption of modern methods of agriculture so that the maximum yield of produce can be obtained from the land. This leaves a larger proportion of wooded areas free for other purposes.

The measures indicated under (*a*) and (*b*) are always most successful when operating simultaneously.

Danger not so imminent in moist zone, but great in arid regions of the interior.

74. The danger of exterminating the forest from wasteful systems of cultivation is not so imminent in the case of areas situated along the sea-board where the rainfall is heavy and vegetation rampant, but it is otherwise in the interior where the moderate rainfall experienced is not sufficient to check the damage done by the annual fires or to prevent the grass lands from gradually encroaching on the wooded areas.

Consequences following destruction of Forests.

It is in such up-country districts also that the most serious consequences are likely to follow the destruction of the forests. Already large tracts of land have become unfertile from a long succession of annual fires followed by heavy showers in the tornado season that wash away the ashes and organic matter from the exposed soil and so render it unfit to support vegetation other than that of the coarser grasses and a few species of thorny shrubs adapted to such poor soils. These grasses, it may be remarked, so far from

being seriously damaged by the annual fires appear to acquire renewed vigour when the first tornados of the dry season come with their showers of rain and cause the young shoots to sprout up with an extraordinary rapid growth.

It is this immunity from permanent damage by fires that enables the grasses as a group to successfully replace other species of plants by choking them out of existence.

VI. EXPLOITATION OF MINOR FOREST PRODUCE.

(A.) Rubber.

75. The total output of rubber for 1906 amounted to 3,434,279 lbs., valued locally at £307,077, as compared with 3,109,707 lbs., valued at £249,043, of the previous year. These figures, of course, include the exports of Northern Nigeria.

The year's output for each Province is shown below:—

Province.	Quantity of rubber.	Local value of rubber.	Remarks.
	lbs.	£	
Western Province... ...	928,638	91,260	
Central Province	2,242,913	196,992	Includes exports from Northern Nigeria.
Eastern Province	262,728	18,825	
Total	3,434,279	307,077	

76. The increase over last year's figures is mainly due to the opening of the Ilesha and other forests in the Western Province for rubber tapping. An inspection of the rich rubber forests of the Ilesha District proved that they had been very much overtapped, and it was found necessary to again close them. Licences much in excess of what the latter could stand were issued, and the tapping was carried out in complete disregard of the rules passed by the Ilesha Native Council, who apparently made no effort to supervise the operations until it was too late and the damage done. A large proportion of the *Funtumia elastica* trees that were tapped proved to be undersized, and the majority of them have been so much damaged that they are unlikely to recover from the treatment.

77. The number of licences issued in the Western Province is as follows:—

Ijebu-Ode District ...	200
Badagry District	1
Epe District	5
Ibadan State	101
Ondo District	4,713
Ilesha District	5,266
Total ...	10,286

In some districts, such as Badagry, in which only a few licences were issued, illicit tapping was carried out on a large scale. The difficulty experienced in obtaining convictions for cases taken into court has rendered it practically impossible to stop such breaches of the rules, which are often ignored by the very native councils who pass them.

Central Province.

78. The Provincial Forest Officer of the Central Province reports that 1,114 licences were issued in 1906, as against 847 of the previous year (*see* Return No. 9). The revenue realised from such licences during the period under review amounted to £671 10*s*., of which £557 was paid to Government and the balance of £114 10*s*. to the native chiefs.

Eastern Province.

79. The figures for the Eastern Province are 137 licences, which realised £68 10*s*. Here, again, illicit tapping must have been resorted to, as the output of rubber, viz., 262,728 lbs., was much in excess of what 137 collectors could possibly obtain in the time.

Smooth working of Licence System in Central Province.

80. The licence system has worked very satisfactorily in the Benin Districts of the Central Province where the native communities take a lively interest in forestry matters and are fully alive to the importance of preserving the plants—an *annual* source of revenue to themselves. No doubt in time the inhabitants of other districts in the Protectorate will adopt the same attitude towards the licence system. However, as long as they are encouraged by the trade to ruthlessly destroy the rubber-yielding plants by getting as much as possible out of them in the shortest possible time and then to leave the rest to chance, I am afraid but little attention will be paid by them to more prudent advice.

Protection of Rubber Plants not so much important in littoral districts with heavy rainfall.

81. The question is not of such great importance in localities where Para rubber plants can be grown with success, as in the moist littoral districts having a rainfall sufficiently heavy for the successful cultivation of that species, but it has quite a different aspect in the hinterland where the indigenous plants are the only species, so far as we know, that are suited to the localities. Again, a long number of years must lapse before the annual output of plantation rubber can reach the present export figure of 1,533 tons, and it is only reasonable that steps should be taken pending the successful substitution of the indigenous rubber by plantation produce to protect the indigenous plants from the extermination that threatens them. When the planting industry out here has proved to be the success anticipated then it will be time enough to leave the wild plants to their fate.

Methods of tapping suitable for wild plants.

82. As regards the methods of collecting and preparing rubber employed by the natives of Southern Nigeria, it may be remarked that in the former case the danger threatening the wild plants is not so much the adoption of any one method in preference to another, but the fact that whatever system of tapping is introduced, it is, unless properly supervised, bound to be overdone to such an extent as to threaten the life of the plant. This is the main point at issue, and has been frequently overlooked when criticising West African methods of extracting the latex. Any one of the simple systems employed out in the East, except those based on "wound response," with a view to securing an increased yield of latex from *Hevea Braziliensis* are suited to the *Funtumia elastica* plant if applied in moderation.

As this species appears to show little response by an increased flow of latex to repeated tapping at short intervals, the "herring bone" and "V" systems combined with the removal of thin slices of bark on alternate days should not be employed till further experiments carried out on a very large number of plants have definitely shown that the increased yield of latex, if any, is obtained at the expense of little or no permanent injury to the plant. Experience seems to point to the conclusion that *Funtumia elastica* shows much less recuperative powers towards tapping than the Brazilian plant does, and consequently such systems as mentioned above are not suited to it. On the whole the simple "half herring bone" method or the simple "V" one *applied very lightly* appear to be the most suitable for this plant. Dr. Unwin, Assistant Conservator of Forests, carried out some experiments with the spiral method and procured a

larger yield of latex than has so far been obtained by other systems, but the effect of such treatment on the growth of the trees experimented on has yet to be ascertained.

83. Refined and complicated methods of tapping, however suited they may be for plantations, are quite impracticable when applied to wild trees found scattered about the forests at long intervals. Moreover, the natives can hardly be expected to return at frequent intervals to the same plants for repeatedly carrying out tappings unless the increased yield of latex so obtained is commensurate with the extra labour involved.

"Root Rubber."

84. In the case of the so-called "root rubber" of the trade it may be advisable to point out that it is extracted by the natives from the true rubber-yielding vines as well as from those small *herbaceous* plants such as *Landolphia Thonningii* and *Carpodinus lanceolata*, that have acquired a strong rhizome development, and that the method of extraction adopted by the natives is only justifiable when applied to the latter mentioned plants whose rhizomes contain the bulk of the latex; *these two species are not found in Southern Nigeria.* In the true vines by far the greater portion of the latex is contained in the aerial stems, and these organs only of the plant should therefore be tapped. However, certain species of the true latex yielding *vines*, when growing in dry arid regions exposed to the annual fires, develop a strong rhizome at the expense of the aerial portions of the stem, and often acquire a shrubby habit. In such cases latex may be extracted from the rhizomes providing they are very lightly tapped by simple shallow incisions and are then covered up again with earth. This is the method employed by the French in Senegal and the Soudan for *Landolphia Heudelotii.* It is very different from the drastic measures adopted by the natives of Southern Nigeria, who grub the plant up root and stem and then pound these to pieces for the purpose of separating the latex from the crushed tissues, which is usually done by means of boiling water.

Objection to tapping vines for "Root Rubber."

Now the objection to this practice is that it is applied indiscriminately not only to plants with a large rhizome development but also to robust climbers capable of yielding an abundant supply of latex from the aerial stems; such treatment is fatal to the latter though it may not have so great an effect on the rhizome bearers which can easily and quickly reproduce themselves if even the smallest portion of the rhizome is left intact in the ground. Even here tapping

the rhizomes as opposed to grubbing them up is a much more rational system to adopt.

85. Our two best rubber-yielding vines, viz., *Landolphia owariensis* and *Clitandra elastica*, are frequently subjected to the drastic native method mentioned above in the more inaccessible portions of the Protectorate.

86. Some difficulty has been experienced in improving the quality of rubber prepared by the natives, but since the close of the year under review much progress has been made in this direction, and it is to be hoped that the European merchants will help the movement by paying substantially better prices for the superior product. It has been abundantly proved of late that the rubbers yielded by *Funtumia elastica*, *Landolphia owariensis*, and *Clitandra elastica*, if properly prepared are of the very best quality and capable of realising prices in the home market but little inferior to that of the best Para. Samples of *Funtumia elastica* prepared by members of this Department with the ordinary appliances available to the natives were valued at home at from 4*s*. 6*d*. to 4*s*. 8*d*. a lb. when "fine Para" was selling at 5*s*. 2*d*. a lb., and it is probable that when prepared with the same care and with the modern appliances found in up-to-date plantations it will fully hold its own in the markets with the Brazilian product. Perhaps the best of all the West African rubbers is that prepared from the latex of *Landolphia owariensis*.

"*Lagos and Benin Lumps.*"

87. The bulk of the *Funtumia elastica* rubber is shipped home in the form of "Lagos and Benin lump," a product that contains a very large percentage of water and impurities. Efforts are being made to replace this "lump" by clean "biscuit" rubber, which is easier to dry and preserve from putrefactive changes.

List of Rubber-Yielding Plants.

88. The following is a complete list, brought up to date, of the latex-yielding plants of Southern Nigeria from which either good rubber or inferior products used for the purposes of adulteration are extracted by the natives.

Plants Yielding Good Rubber.

The plants yielding good rubber are—

(1.) *Funtumia elastica.*—A small to medium sized tree, widely distributed in parts of the Ilesha, Ondo, and Benin Districts. The Ilesha forests are the richest in this respect of any I have seen. The species seeds most prolifically, but, unfortunately, the light seeds experience great difficulty in

reaching the soil through the thick layer of humus generally found in the moist evergreen forests where this plant most commonly grows. In fact, the proportion of seedlings to seeds is very small indeed, and the enormous number of seeds furnished by the species is an index of the difficulty it experiences in this respect.

Dry *Funtumia elastica* rubber contains on the average 80 per cent., by weight, of pure caoutchouc, and the latex yields about 60 per cent., by weight, of dry rubber. The latex coagulates spontaneously in from three days to one week (according to amount of dilution with water) if exposed to the air in shallow vessels.

The following coagulants can also be employed:—

Heat.—Either applied directly to the diluted latex or indirectly by placing a vessel filled with the fluid into boiling water.

Alcohol.

Acetic acid.

Infusion (boiling) of the leaves of Bauhinia reticulata.

This last method, however, is not generally convenient in practice, as the two plants inhabit different types of forest, *Bauhinia reticulata* being found in the open deciduous forests where the *Funtumia elastica* does not grow.

In *Southern Nigeria* coagulation by means of heat is most generally employed. If the resulting lumps of rubber are taken out, washed, and pressed into the form of biscuits as soon as coagulation occurs and then properly dried in an atmosphere containing smoke, the "biscuits" acquire a rich brown colour, and can realise about 4*s.* 6*d.* a lb. in Europe. Samples of rubber prepared from the spontaneously coagulated latex by members of this Department were valued in Europe at 4*s.* 8*d.* a lb. when fine Para was selling at 5*s.* 2*d.* a lb.

The produce is exported to Europe under the trade names of "Lagos, Benin, and Calabar lumps." The yield of rubber per tree is small, and varies from two to three ounces at a tapping.

(2.) *Landolphia owariensis.*—A very variable vine that, in the more open dry country where forest fires are prevalent, has a tendency towards shrubby growth and rhizome development. It is common in the Benin Districts and part of the Western Province. The plant is known to the Yorubas as Ibo tabong, to the Benis as Ubake, and to the Ibos as Ottoa fre fredi.

Over 90 per cent. of the dry rubber consists of pure caoutchouc, and the proportion of rubber to latex is very high, as practically the whole of the latter coagulates. The

percentage of resinous matter is very small. The rubber prepared from this plant is about the best of all the Southern Nigerian rubber.

The coagulants are:—

(*a.*) *Heat.*—Coagulation sets in long before the boiling point is reached.

(*b.*) *Spontaneously.*—The latex frequently coagulates on exposure to the air as soon as the cut is made and whilst it is exuding. The product is very white and highly elastic.

(*c.*) *By hot smoke.*—This is a variation of (*a*).

(*d.*) *Acids.*—Such as sulphuric, nitric, boracic, citric, oxalic, tartaric, and tannic.

It is curious to note that acetic and hydrochloric acid, which act so powerfully on the latex of the French *Landolphia Heudelotii*, have little or no effect on the milk of this plant.

(*e*). *Alkalis.*—Such as alum and salt. The use of the latter is objectionable as it absorbs moisture and keeps the rubber damp, and thus hastens putrefactive changes.

(*f.*) *Alcohol.*

The methods usually employed by the natives are (*a*) and (*b*), and sometimes lime-juice and an infusion of the plant *Costus lucanusianus.*

The trade names of the rubber procured from this plant are 1st class "niggers," which consist of thin strips of rubber wound round each other like a skein of wool, and 2nd class "niggers" of various shapes. *Unfortunately the bulk of the so-called "root rubber" from the Niger Valley is also prepared from this valuable plant.*

Properly prepared *Landolphia owariensis* rubber from Lower French Guinea and the Ivory Coast fetches an average price of 4*s.* 6*d.* per lb.

The annual yield of rubber from a large vine varies from one-third to two-fifths of a lb.

The plant is of rather slow growth.

(3.) *Clitandra elastica.*—A long scrambling climber common in the moist evergreen forests of the Central and Western Provinces. It is not found in the dry open country. A large proportion of the rubber exported from Calabar is prepared from this plant. The yield of latex is copious, but reliable data are not yet available.

The natives employ heat as a coagulant; the latex, diluted with water, is boiled in an earthen pot and continually

stirred with a stick till coagulation sets in. During this process the freshly prepared rubber adheres to the stick in a spindle-shaped mass. The latter is then removed, crushed flat and taken to the nearest market. By straining the latex of impurities and subsequently thoroughly washing and pressing the freshly coagulated product into biscuits and then drying the latter in wood smoke a most excellent quality of rubber can be produced, and this with the simple appliances at hand and with very little extra trouble.

There is no doubt that with similar care in preparation the rubber produced from the above-mentioned three species of plants can easily be raised in value from the 2*s*. 8*d*. per lb. at present realised to an all-round average of something like 4*s*. 6*d*. per lb. Time, however, is required to spread this knowledge through the length and breadth of the land where rubber is prepared, and the hearty co-operation of the trading firms in the matter of paying better prices for the improved quality of produce, and the introduction of the Adulteration of Produce Ordinance is necessary before success can be achieved. Already much has been done in spreading this knowledge since the return to the Protectorate of the two pupils who were sent to the French School of Forestry at Bobo Dioulasso, in the Soudan, by His Excellency the Governor. In the Western Province the Provincial Forest Officers and Curators have given demonstrations to the Forest Guards and Garden Officials in improved methods of collecting and preparing rubber, and the Forest Establishment of the Ibadan State has been similarly instructed.

Plants yielding inferior grades of Rubber; latex often used for adulterating better kinds.

89. The following plants are those known to be utilised by the natives for the preparation of inferior, gummy, resinous grades of rubber, and their latices are also utilized in adulterating the better kinds of rubber mentioned above.

(4.) *Carpodinus hirsuta* (Ibo elekiti of the Yorubas) and *Carpodinus fulvus*.—These two robust vines yield an abundant supply of latex. They are common on the Niger, and are found in all three Provinces. In the Onitsha hinterland (Oka District), *Carpodinus hirsuta* has been practically exterminated by the practice of extracting "root rubber."

"Paste Rubber."

I have seen large quantities of the "paste" rubber, prepared from this plant, stored in the factories on the Anambra branch of the Niger. The two species are very similar to each other, and one is probably only a variety of the other.

The proportion of "paste" to latex is high.

Coagulation may be brought about by the action of most acids, especially hydrochloric acid, and by heat; in the latter case coagulation sets in before the boiling point is reached. The latex also coagulates spontaneously after several days' exposure to the air.

The resulting product, which is known to the trade as "paste," is of a white colour with a reddish tint; it becomes very sticky on exposure to the air and remains soft for months. The proportion of pure caoutchouc to resin is very small in this grade of rubber. It commands a ready sale in Europe and fetches from 8*d.* to 9½*d.* a lb.

(5.) *Landolphia senegalensis* (Yoruba name, Ibo Akitipa); *Landolphia Thompsonii* (Yoruba name, Ibo Giddi).—These two powerful climbers are fairly common in the Western Province, and yield a copious supply of latex which is difficult to coagulate by the action of the commoner acids and alkalis. After prolonged boiling, however, a resinous putty-like substance is formed which is sticky, and remains plastic for years. The price of this substance in the home markets varies from 8*d.* to 9*d.* per lb.

(6.) A similar substance, but one that hardens after exposure to the air, is prepared from the latex of *Ficus Vogelii*.

Latices used as Adulterants.

(7.) The latices of the following plants are used by the natives, more particularly those of the Western Province, to adulterate the latex of the good rubber-yielding plants Nos. (1) to (3):—

(*a.*) *Funtumia africana*, a fairly large tree with abundant latex; very difficult to coagulate.

(*b.*) *Holarrhena Wulfsbergii* and *Holarrhena africana*, ditto.

(*c.*) *Alstonia congensis*, a lofty tree, common in the moist forests.

(*d.*) *Omphalocarpum elatum* (tree) yields a kind of gutta or balata.

(*e.*) *Couonopharyngia pachysiphon* (small tree).

(*f.*) *Omphalogonum calophyllum*, a vine.

With the exception of (*d.*) these plants all belong to the natural order *Apocynaceæ*.

(B.) Gums.

90. The export of gum copal in 1906 was 34,634 lbs., valued at £6,650, as compared with 33,207 lbs., valued at £3,967, in the previous year. A better quality of gum

appears to have been produced during the year. The plant furnishing this product is a lofty tree of the moist evergreen forests and is known to botanists as *Cyanothyrsus ogea* (*Daniellia oblonga*). The trade in the so-called "balsam copaiba" of the Niger Districts has fallen off very much of late years; it is procured from *Daniellia thurifera*, a tree that is characteristic of the "dry zone" vegetation. It is common in the open forests of the hinterland. The prices paid for this produce in the European market have declined considerably of recent years, thus accounting for the falling off in the trade. Practically an unlimited supply can be obtained should a demand again arise for this product.

No gum Arabic is collected within the limits of Southern Nigeria.

(C.) Fibres.

91. The trade in piassava fibre from the Eket District still continues. The export in 1906 amounted to 5,414 packages, valued at £3,210, as compared with 7,290 packages, valued at £4,052, for the previous year. Efforts are being made by some of the local agents of the trading firms established in the adjoining districts to encourage this industry as much as possible.

92. There are several good fibre-yielding plants to be found in this Protectorate, but the natives are very conservative, and it is difficult to get them to take up anything new. The plants are:—

Honckenya ficifolia, of the natural order of *Tiliaceæ*. It yields an excellent long fibre and is found growing wild in parts of the Calabar and Cross River Districts, and also in the Benin country.

Urena lobata (*Malvaceæ*).—Common on waste places round villages and in recently abandoned farms. By cultivation the length of fibre can be increased.

Several species of *Sidas* and *Triumfettas* also yield good fibres that could be lengthened by judicious cultivation. Some banana fibre prepared at Calabar has been well reported on by the Imperial Institute, and a large consignment is being prepared for the purpose of testing its value in the market.

The strong ropes used by the natives for binding up their bundles of kola nuts are prepared from the best fibres of a large tree (*Sterculia Barteri*). This plant is common in parts of the Western Province. The ropes made from it are very durable. Samples have been prepared for the Imperial Institute.

93. The samples of canes and walking sticks sent home a year ago have proved to be of no commercial value.

(E.) Oil Beans and Seeds.

94. The following plants indigenous to Southern Nigeria possess seeds that are more or less rich in vegetable oils and fats.

Pentaclethra macrophylla.—A small tree of the natural order *Leguminoseæ*. It is very abundant throughout the moist evergreen forests. The seeds used to be regularly exported from the south coast some years ago, but the trade stopped when the prices at home became unremunerative.

The "wild mango" or "Dika nut" (*Irvingia barteri*)—confined to the moist evergreen forests and not so common as the former species. The seeds contain a high percentage of vegetable oil which is used by the natives for culinary purposes. A small trade was done during the year in the seeds of these two plants by some of the trading houses in the Eastern Province, but the prospects are not encouraging.

Ricinodendron africana (*Ricinodendron Heudelotii*).—A large tree common all over the moist zone. The seeds are rich in oil and have been mistaken for those of a species of *Aleurites*. The plant yields a good timber.

Lophira alata.—A small tree, confined to the dry open forests of the hinterland, where it is very plentiful. The seeds are rather small, but are said to be rich in oil. Its congener, *Lophira procera*, of the moist swampy forests near the coast, bears larger seeds.

Shea butter tree, *Baddia Parkii* (*Butyrospermum Parkii*).—This small tree is very plentiful in some parts of the Western Province hinterland such as the Oyo, Shaki, and Meko Districts. The export of shea butter and nuts during 1906 was 1,727 tons, valued at £18,917, as compared with 1,784 tons, valued at £22,184, in 1905. Efforts are being made to interest the Yorubas in this trade, which is confined to regions in which the oil palm does not grow. The shea butter tree is generally found in poor soils hardly capable of supporting agricultural crops without the expenditure of a great deal of labour and money. This renders of some value tracts of country otherwise practically worthless to the natives.

VII. AGRICULTURE.

Western Province.

95. From the Western Province the Provincial Forest Officer reports a number of crops were grown during the year at Olokemeji, some experimentally, some as fodder, and others in the ordinary routine of farm cultivation, perhaps the most important being cotton, rice, and jute.

Cotton.—The results of the experiments are shown in the statement attached as Return No. 10 to this report. The Provincial Forest Officer remarks, "It will be seen that No. 4, Eponkon, a native cotton, has given the best yield, but this is a brown cotton of a very inferior grade, besides which the percentage of lint is very small. Next to this in yield comes the other native variety, Ogodo, a white cotton valued last year at 6*d.* per lb.; this also shows a poor percentage of lint.

"As will be seen from the table when considering yield, together with percentages of lint, &c., the best results are given by—

"(*a.*) *Kidney*, with 340 lbs. to the acre and 41 per cent. of lint;

"(*b.*) *Abassi*, with 320 lbs. to the acre and 34 per cent. of lint;

"(*c.*) *Ashmoni*, with 300 lbs. to the acre and 33 per cent. of lint;

"(*d.*) *Janovitch*, with 240 lbs. to the acre and 33 per cent. of lint.

"Samples of all these cottons are being sent to England for valuation and report; it will then be possible to judge which varieties are worthy of future experimental cultivation."

96. The native cotton grown in the Meko District is apparently the best of the local varieties. Experiments are being undertaken with a view to improving the best native varieties by selective cultivation.

97. "*Rice.*—Seven varieties of rice were obtained from Sierra Leone; a portion of each variety was distributed, but enough was retained here for the purpose of trial. This was sown on the 21st July in plots of one-tenth of an acre each of the seven varieties, the first two yielding the most satis- about here.

"Five of the seven varieties were to all intents and purposes failures; the other two did rather well, yielding at the rate of 840 lbs. per acre. The following are the names of the seven varieties, the first two yielding the most satisfactory results:—

"(1.) Ferewry;
"(2.) Bouzonic;
"(3.) Jobboy;
"(4.) Manemic;
"(5.) Cbongboh;
"(6.) Merican;
"(7.) Goroyombocy."

98. *Jute* was sown at Agege as well as in various districts of the Western Province; the plants in the former place showed good growth and some fibre was prepared from them and forwarded to the Imperial Institute for valuation and

report. The result proved unsatisfactory, probably owing to faulty preparation. Further experiments are to be carried out with this plant.

99. "In addition to the above, other crops, such as arrow-root, ginger, maize, guinea corn, lucerne, &c., have been grown experimentally with varying results. The first two were cultivated for distribution and the others as rotation and fodder crops.

"In October 50 suckers of the Canary banana, *Musa Cavendishii*, were obtained from the Canary Islands through Messrs. Elder Dempster's agent there. These are doing well, and it is to be hoped that some suckers will be available for sale during the coming year."

Central Province.

100. As regards the Central Province several experiments in the cultivation of cotton, tobacco, castor oil, and leguminous crops were carried out in the Onitsha pantations.

The Curator reports that in the case of *Cotton* the 16 half-acre plots would in all probability have yielded much better results (average, 133½ lbs. per acre) if the cotton had been planted a month or even six weeks later than was actually done. Fully developed bolls were hanging on the plants for nearly a month before they got a sufficient amount of sunshine to open them, and they fell an easy prey to boll worm and other insects owing to their being exposed for such a long time to the moist atmosphere. The experiments show that June is too early for planting this crop, and that the middle of July promises more favourable results.

Tobacco.—American, some varieties gave good results both as to growth and yield.

Castor Oil.—The two-year old plants on the experimental plots proved a failure, but the Curator thinks that the experiments should be persevered with. Some 250 lbs. of the best local varieties of castor oil seed such as that from Oka, Asaba, and Agulari, are being sent home for valuation with a view to ascertaining the variety to improve by selective cultivation in the future.

Leguminous crops.—A large series of experiments were carried out with crops of cow peas, pigeon peas, Akpaka-pakera beans, Bonavista beans, &c. These have given good results and not only enriched the soil but kept down weeds, &c.

101. A detailed list of the experiments carried out at Onitsha is given in Return No. 11 to this report. Many of the sample plots were treated with various kinds of manure, and this fact makes it difficult to ascertain the respective

merits of the different combinations of crops. More attention will be given to this latter point and the use of expensive manures which the natives are hardly likely ever to employ will be discontinued.

Progress of Agriculture in Western Province.

102. Agriculture appears to have made the most rapid strides in the Western Province, where the cultivation of cotton, maize, ground-nuts, and cocoa has shown a very satisfactory increase during the year. The Yorubas, as a race, are keen agriculturists and quick compared with other natives of Southern Nigeria to take advantage of any improvements in cultivation and recommendations brought to their notice. The increased facilities for transport due to the extension of the railway and the construction of feeder roads have also contributed towards an increased output.

Agege Farmers.

103. The farmers at Agege are well advanced in agricultural practice, and have always taken the lead in adopting any desirable changes. They deserve great credit for the enterprise shown by them, and should be given every encouragement in their efforts to improve the agriculture generally of the Province. I understand that they are forming a local agricultural union of their own in connection with the periodical issue of a journal (in the Yoruba language) dealing with such matters.

104. *Cotton.*—The increased output of this produce is a very satisfactory feature of the year. In the Western Province the figures for 1906 are 6,038 bales (380 lbs. to a bale), valued at £30,715, against 2,775 bales, valued at £15,591, of the previous year; the corresponding figures for the Central Province being 2,229 bales (380 lbs. to a bale), valued at £10,848, against 535 bales valued at £245 in 1905. The exports from the Eastern Province are nil.

The establishment of ginneries by the British Cotton Growing Association at Ibadan, Aro, Lafenwa, and Eruwa Road has no doubt greatly contributed towards inducing the natives to grow more cotton for the export trade. Besides those mentioned above, two more ginneries are being erected at Iwo and Oyo; this should result in further additions to the areas planted up with this crop.

105. *Maize.*—The exports have so far been confined to the Western Province, but there is no reason why it should not be extended to the other two Provinces, where it is extensively grown by the natives for their own consumption. The local variety known as "white maize" is grown in both these Provinces.

The figures during 1906 for the Western Province are 13,074 packages, valued at £37,386, as compared with 9,385 packages, valued at £32,503, of the previous year. Improved methods of harvesting and shipping the produce should be introduced at an early date if the corn is to hold its own in the home market. There has already been deterioration in quality, and lower prices are being offered in consequence.

106. *Ground-Nuts.*—The exports of this produce have rapidly increased during the last four years, but not, considering the value of the oil in the home markets and the importance of the crop as a fertiliser, to the extent that they might have done. This is a most useful crop to interpolate in any system of rotation of crops, and should be extensively cultivated on the comparatively poor open soils of the interior where the organic constituents are generally deficient.

There is ample scope for building up a large and profitable industry in this product, and the native farmers should pay more attention to it than they have in the past, more especially in the Western Province, where the extension of the railway and the construction of good feeder roads provide easy lines of transport to the nearest markets.

The export of ground-nuts during 1906 was 33,216 cwts., valued at £13,486, as compared with 15,800 cwt., valued at £6,956, of the previous year.

107. *Cocoa.*—The influence of the Agege farmers has been most felt in the remarkable impetus that has lately attended the cultivation of this product in the Western Province. The total output has increased from 663,508 lbs., valued at £10,898, in 1905, to 1,153,439 lbs., valued at £20,893, for the year under review, and this has been attained in a locality where the climatic conditions are not so favourable for the cultivation of this plant as they are in extensive areas situated further eastwards in the Central and Eastern Provinces. In the latter more especially should its cultivation be pushed, as the conditions are very favourable. The export of cocoa from the Central and Eastern Provinces was 388,499 lbs., valued at £6,019, in 1905, as compared with 466,548 lbs., valued at £6,151, in 1906.

108. The very successful Agricultural Show held at Lagos towards the end of the year has no doubt greatly stimulated the interest taken by the natives in agriculture and enlarged their views on such subjects.

VIII. BOTANICAL GARDENS.

Western Province.

109. In the Western Province a large number of plants of economic importance were distributed during the year from the Olokemeji Gardens to farmers and others interested in their cultivation. Details of the distribution are shown in Return No. 12. The totals are 25,944 plants; 1,996 suckers; 624 lbs., 116 packets, and 1 box of seeds; 140 lbs. and 36 baskets of tubers; and 38 bundles of grass.

Pupils attached to Olokemeji Gardens Course of Instruction.

110. The Curator reports satisfactorily on the work of the pupils attached to the Gardens. They are given a course of instruction in the propagation of plants, their correct nomenclature, economic value, the essential conditions requisite for good growth, and the advantages of pruning, &c. A little elementary botany is also taught them. From the Gardens the pupils, excepting such as show special aptitude for botanical work, are transferred to the farms and from thence to the forest, so that the full course of three years enables them to acquire a general practical knowledge of gardening, agriculture, and forest plantations.

111. The introduction of wild, indigenous plants into the Gardens has been continued with a view to furnishing easily get-at-able living specimens for identification and study. Those that flower from time to time are properly identified and labelled. This method is of great importance where the instruction of natives is concerned, and it also enables visitors to gain a general idea of the vegetation of the country without their having to undertake extensive journeys into the forests for that purpose.

Herbarium.

112. The excellent herbarium has been augumented by something like 200 specimens which have been properly mounted, dried, and duplicates sent to Kew for identification. This collection is of great scientific value as it contains several type specimens, and it should be ultimately placed in a suitable building at Lagos.

113. Some fifty members of the Ibadan Agricultural Society, amongst whom were the Resident of Ibadan, the Commercial Intelligence Officer, and the Otum Bale, visited the Gardens last October. After inspecting the Gardens and farm, a meeting was held at which various questions dealing with agriculture were discussed.

114. The Gardens were well maintained and several improvements in the drainage, laying out of new roads, &c., made.

Plants received.

115. Thanks to the generosity of His Excellency the Governor, the Curators of Botanical Gardens from various parts of the world, and to societies and private individuals, a number of valuable additions were made to the Gardens during the year. For details *see* Return No. 13.

Budding Experiments.

116. Successful budding was carried out in the case of grape fruit, the buds being transferred to stocks of the bitter orange. Similar experiments with the buds of the Navel orange proved a failure.

117. Nagpur oranges have been grown from seeds imported from India and are doing well. The seeds that germinated were got from fruit sent over here as samples.

118. Excellent pineapples and bananas are now grown in the Gardens in addition to the ordinary tropical fruit.

Fibre Plants.

119. Plants of sisal hemp (*Agave rigida* var. *Sisalana*) and Mauritius hemp (*Furcraea gigantea*) are all well established in the Garden and have been propagated. Fibres procured from these as well as from indigenous plants were exhibited at the Agricultural Show. *See* Return No. 14 for exhibits prepared by this Department.

Rubber Plants.

120. There are at the present time various species of rubber plants, such as *Hevea, braziliensis, Ficus elastica, Funtumia elastica,* and different species of *Landolphias* established in the Garden. With the exception of the latter, however, they are not doing very well, the climate being unsuitable.

121. The American logwood (*Haematoxylon campechianum*) has grown well here and furnished a large number of seeds from which plants are being raised.

122. Seeds of a hybrid cotton (*Thomatis carnavonica*) of variety Sea Island parentage, were received from Kew. Out of these, eighteen young plants were raised and established.

Meteorological Results.

123. The rainfall for the year was eleven inches less than in 1905. Rain fell on 114 days as compared with 92 days in 1904 and 108 days in 1905. Some high temperatures were

recorded in March, when 105° F. in the shade was reached as a maximum, the average for the month being 100·09° F. The average daily maximum for the year, viz., 90·85° F., is the highest ever taken at Olokemeji. *See* Return No. 15.

124. The Ebute Metta Garden has been abandoned as a distributing centre, and is now kept up mainly as an ornamental one. The valuable plants established there are, however, still being tended. The Para trees in the Garden furnished 3,826 seeds, of which 77½ per cent. germinated.

125. A garden was formed in the Ibadan Rest House ground during the year.

Central Province.

126. In the Central Province a fair amount of plant distribution was done from the Onitsha Garden and Plantations, seeds of cocoa, cow peas, tobacco, pigeon peas, and jute being distributed. The locality, however, is not a good one for this purpose; it is too dry and far from the centres where the cultivation of crops such as cocoa, Para rubber, &c., can be successfully undertaken.

Vegetable Garden.

127. The Curator reports that the kitchen garden was well maintained, and the results show that with a little assistance as regards shading and watering some very acceptable vegetables such as cabbages, turnips, cucumbers, tomatoes, &c., can be grown.

Ornamental Flowering Plants.

128. Ornamental flowering plants of various kinds, such as Oleander, Bougainvillea, Ixora, Allamanda, Zinnias, French Marigold, Roses, Hibiscus, Crotons, Acalyphas, Verbena, Coreopsis, Lilies of several kinds, Solanums, and Clereodendrons have been grown with success there.

Stock Farm.

129. The stock farm at Onitsha was abandoned and the cattle either transferred to other districts or sold. Past experience has shown that this locality is too much infested with flies (*Glossina* sp.) for any success to be attained with breeding experiments. Most of the imported cattle had to be kept in fly-proof houses.

130. The hydraulic ram continues to work satisfactorily.

131. Necessary repairs to buildings and roads and the extension of the latter were carried out. All the houses are now in good condition.

Expenditure on Gardens.

132. The expenditure incurred on the plantations, gardens, and stock farm amounted to £1,075 during 1906.

EASTERN PROVINCE.

133. As regards the Eastern Province, the Botanical Gardens at Calabar were fairly well maintained, but they are capable of much improvement if they are to serve the real purpose of such gardens. Matters have much improved of late, and a fair number of cocoanuts and Para rubber plants have been distributed to native farmers and others interested in agriculture.

Fruit Trees.

134. During the year considerable additions were made to the stock of economic plants growing in the Gardens, more especially as regards tropical fruits. Those, such as the mangosteen, lichi, pomegranates, &c., introduced by His Excellency the Governor during 1906, are doing well.

Sago and Nipa Palms.

135. The Sago palms planted in the hollow in the Gardens are in excellent condition, and the Nipa plantation across the river also appears to be established.

Extension of Gardens.

136. The Gardens were considerably extended in the direction of the new barracks and the area planted up with rubber plants such as *Funtumia*, *Ficus*, *Castilloa*, and Para. The latter have made excellent growth and average about 12 feet in height. Plots of land were also planted up with fibre-yielding plants such as jute, *Honckenya ficifolia*, *Urena lobata*, and *Boehmeria nivea* (Ramie). The jute has shown very poor growth.

137. The plots under cinnamon are doing well.

Attacks of Insects.

138. The Curator reports that insect attacks on the eugenias and plants of the citrus genus are numerous, but are being kept in check. The *Castilloa* rubber-yielding plants are not doing at all well, several having died; they, moreover, suffer severely from the attacks of a borer.

139. Most of the roads round Calabar have been planted with shade and ornamental trees, and on the whole with success.

Stock Farm.—Calabar.

140. A stock farm was started at Calabar early in the year with a view to establishing a local dairy. For this purpose three cows and some bull calves were imported from the Canary Islands. Unfortunately two of the former and one of the latter died during the year. The cause of death amongst the cows was reported by the Medical Officer to be hypertrophic serosis of the liver in one case and intestinal obstruction in the other. The blood of the calf that died was examined by the District Medical Officer, and was found to contain parasites similar to those found in the Indian disease (human) known as Kala-azar. In no case was trypanosomiasis infection detected.

141. The Provincial Forest Officer reports that the remaining cow was not in good condition at the end of the year, but the bull calves were in robust health, and as they have been frequently permitted to graze in the open and, so far, apparently, without any bad results, it is to be hoped that they will become immune to the attacks of the parasite mentioned above and, when fully grown, serve the purpose of gradually improving the breed of native cattle.

142. Copies of the interesting reports on the Stock Farm are attached as appendices to this report.*

IX. GAME LAWS.

143. With the exception of elephants I am afraid but little progress has been made in protecting the game animals of Southern Nigeria.

To successfully enforce the laws an enormous staff of men will have to be employed, and considerable friction will arise with the inhabitants of the country, more especially in the hinterland.

144. Difficulty has been experienced even in restricting hunting in the *forest reserves*, where the inhabitants appear to consider they possess unrestricted rights to forest produce as well as to the chase, an attitude for which they are not alone to blame.

145. The only outcome of the present legislation has been to limit the shooting of a few *bonâ fide* European sportsmen whilst the constant drain of animal life caused by literally tens of thousands of native hunters who shoot everything they see, in season and out of season, throughout the year remains unchecked.

146. Some game reserves are being taken up and it is to be hoped that shooting in them will be absolutely prohibited,

* Not printed.

so that a few areas at least will serve as sanctuaries for wild animals in the true sense of the word.

Elephant Shooting Licence.

147. Five licences for shooting elephants were issued in the Central Province during the year, as against six in 1905.

X. ESTABLISHMENTS AND CHANGES OF STAFF.

148. The Conservatorship of the combined Administration was held by me from the 1st January, 1906, to the 11th June, 1906.

From that date the Deputy Conservator of Forests, Mr. N. C. McLeod, acted for me until the end of the year. I proceeded on leave to Europe on the 17th June, 1906, and returned to Lagos on the night of the 31st December, 1906.

The Deputy Conservator of Forests, Mr. N. C. McLeod has been absent on leave from the 12th March.

Western Province.

149. The Western Province was held by—

(1) Mr. Farquhar, Assistant Conservator of Forests, First Grade, from the 1st January, 1906, till the 14th March, 1906;

(2) Mr. E. W. Foster, Assistant Conservator of Forests, Second Grade, from the 18th March, 1906, till the 14th October, 1906;

(3) Mr. Farquhar, from the 15th October, 1906, till the 30th November, 1906;

(4) Mr. Foster, from the 5th December to the 31st December, 1906.

Mr. Farquhar was absent on leave from the 18th March to the 14th October, 1906.

Mr. Williams was in charge as Curator of the Botanical Gardens, Olokemeji, from the 8th May to the end of the year.

Central Province.

150. The Central Province was in charge of Mr. R. E. Dennett, Assistant Conservator of Forests, First Grade, from the 1st January, 1906, to the 11th May, 1906;

(2) Of Dr. A. H. Unwin, Assistant Conservator of Forests, First Grade, from the 12th May to the 21st November, 1906;

(3) Of Mr. Dennett, from the 21st November to the end of the year.

Mr. Dennett was absent on leave to Europe from the 16th May to the 21st November, 1906, and Dr. Unwin from the 1st December to the end of the year.

I have much regret in reporting the death from fever of Mr. Phillip Wales, Assistant Conservator of Forests, Second Grade, which occurred at Onitsha early in the year.

Mr. Dodd, Curator, was in charge of the Botanical Gardens, Onitsha, from the 25th August, 1906, till the end of the year.

Eastern Province.

151. The Eastern Province was held by Mr. N. C. McLeod, then Assistant Conservator of Forests, First Grade, from the 1st January to the 20th January, 1906;

(2) By Mr. P. Hitchens, Assistant Conservator of Forests, First Grade, from the 21st January to the 17th December, 1906;

(3) By Mr. Farquhar, from the 18th December to the end of the year.

Mr. Hitchens was absent on leave from the 20th December to the end of the year.

The Botanical Gardens at Calabar were in charge of Mr. Don, Curator, from the 1st January to the 15th November, 1906. The latter officer was absent on leave from the 15th November, 1906, to the end of the year.

152. I have much regret in reporting the death of another officer of the Department, Mr. J. W. Sherriff, Assistant Conservator of Forests, Second Grade, which took place at Brass on the 16th September, 1906. He was in charge of the old Eastern Division from the 1st January to the 15th September, 1906.

XI. BUILDINGS.

Repairs and Additions to Buildings.

153. Repairs and additions to existing buildings were carried out at Olokemeji, Benin City, and Onitsha. At the former place a store-house was erected and the quarters of the Provincial Forest Officer and Curator altered so as to make them rain and sun proof. The compound of the forestry buildings at Benin City has been levelled, unsightly holes filled in, and an extra underground tank added, whilst the buildings themselves have been painted and necessary repairs undertaken.

XII. FINANCIAL RESULTS.

154. The expenditure for the three Provinces during the year was—

	£
Western Province ...	7,846
Central Province	4,275
Eastern Province	5,281
Total	£17,402

against a total revenue of £12,439. towards which the Central Province contributed £9,827. The expenditure thus exceeds the revenue by £4,963.

155. As a matter of fact, however, the purely Forestry Branch of the Department is self-supporting, the excess expenditure being due partly to the cost of upkeep of the four botanical gardens, which amounted to £4,138, and partly to the grant of £1,500 to the British Cotton Growing Association, and an expenditure of £714 on the free carriage of cotton.

156. The Gardens cannot from the nature of things be expected to bring in any large *direct* returns, and the same holds good with reference to expenditure on cotton. No doubt the indirect returns from the import duties levied on goods used for the purchase of agricultural and forest produce more than cover any such deficit.

XIII. COLLECTION OF PLANTS AND WILD PRODUCTS.

157. During the year the collection of plant specimens and products was continued from both the Western and Central Provinces, whilst some small collections were also made in the Eastern Province. Return No. 16 gives a complete list of plants identified during the year from such collections, the majority of which have been forwarded to Kew.

Botanical Survey.

158. The importance of pushing on the botanical survey of Southern Nigeria has been kept in mind and every opportunity is being taken to procure as complete a collection of specimens of the more important timber trees and other plants of economic importance as possible from each of the Provinces.

XIV. MISCELLANEOUS.

159. The following is a list of the Appendices and Returns attached to this report for the year 1906:—

Appendices.

I. Descriptive Notes on the Forests of Southern Nigeria.

II. Report on the Stock Farm, Calabar.*

III. Veterinary Report on Stock by Dr. J. P. Fagan, Senior Medical Officer.*

IV. Notes on the Climate of Southern Nigeria by Captain Beverley, Staff Officer for Intelligence to West African Frontier Force.

* Not printed.

RETURNS.

No. 1. Criminal cases held under the Forestry Proclamation in the Western Province.

No. 2. Return of rubber plantations in the Central Province (Western Division).

No. 3. Return of mahogany seedlings planted in the Central Province.

No. 4. Return of timber concessions and licensed areas exploited in the Central Province.

No. 5. Return of trees felled in timber concessions and licensed areas of Central Province.

No. 6. Return of unworked timber areas in the Central Province.

No. 7. Return of timber areas provisionally granted in the Central Province.

No. 8. Return of areas applied for in the Central Province but not yet provisionally granted.

No. 9. Return of rubber licences issued in the Central Province.

No. 10. Details of experiments carried out with cotton cultivation at Olokemeji.

No. 11. Details of experiments carried out at Onitsha.

No. 12. Details of plant distribution from Olokemeji Gardens.

No. 13. List of plants presented to the Botanical Gardens of the Western Province.

No. 14. List of exhibits shown by the Forestry Department, Western Province, at the Lagos Agricultural Show.

No. 15. Meteorological observations made in the Olokemeji Garden.

No. 16. List of identified native plants in the Western Province.

No. 17. List of botanical and other literature presented to the Department, Western Province.

No. 18. List of plants purchased for the botanical gardens of the Western Province.

(Signed) H. N. THOMPSON,

Conservator of Forests.

Conservator's Office,

18th October, 1907.

APPENDIX I.

DESCRIPTIVE NOTES ON THE FORESTS OF SOUTHERN NIGERIA.

A.—Classification and Description of Forests.

The forests of the Colony and Protectorate of Southern Nigeria may be classified as follows:—

(a.) The Mangrove Forests.

These consist of large areas of forest situated along the coastline, more especially in the deltas of the Benin, Niger, Qua, Ibo, Calabar, and Kwa rivers, wherever the land is inundated with sea-water at high tide. The species forming these forests are gregarious in the extreme, and consist of those that have successfully adapted themselves to withstand the prolonged immersion of their roots in salt water. The mangrove forests are the nearest approach we possess on the West Coast of Africa to the type known to foresters as "pure" forests. The dominant species are *Rhizophors*, such as *Rizophora Mangle*, *Rizophora racemosa*, *Anisophyllea laurina*, and a verbenaceous shrub *Avicennia africana*. The two former yield excellent firewood and their bark contains a fairly high percentage of tannin. The latter is frequently cut down, burnt, and the ashes used by the natives as a substitute for salt.

(b.) The Fresh-water Swamp Forests.

As we proceed inwards from the sea towards the high land of the interior, we gradually leave the brackish-water swamps behind and pass on to the fresh-water ones. These swamps occur chiefly in the vicinity of the larger rivers, and are often caused by the overflow of the latter.

The vegetation most partial to these localities contains amongst the trees such species as *Lophira procera*, the red ironwood tree; *Nitrogyna macrophylla*, of the natural order *Eubiaceæ*; and *Alstonia congensis*, a lofty tree, of the natural order *Apocynaceæ*, that yields a latex which is frequently used for the purpose of adulterating the better qualities of rubber. The natural order *Leguminoseæ* is represented by arboreal forms, such as a species of *Parkia*, several species of *Albizzia*, *Macrolobium palisoti*, *Macrolobium Stipulaecum*, *Cynometra afzeli*, *Cynometra Nannii*, *Brachystegia spicaeformis*, a lofty hard-wood tree, the bark being distinguished by its yielding a good fibre and the young foliage a conspicuous reddish colour, and *Pterocarpus esculentus*.

Amongst the *Artocarpus* we have *Treculia africana*, whilst the *Meliaceæ* are represented by a species of *Khaya*

(mahogany) that appears to be confined to such swampy localities. Amongst the *Loganiaceæ* we have several fine species of *Anthocleista scandent.* Palms are confined to the genus *Calamus*, whilst the arboreal forms are represented by *Raphia vinifera*, the Tombo palm, from the leaf-sheaths of which piassava fibre is prepared. This species is extremely abundant in some of the fresh-water swamps of Southern Nigeria. *Pandanus candelabrum* and *Pandanus Heudelotianus* represent the screw-pine; whilst various species of *Dracaena* (Dragon's blood tree) form the arboreal representatives of the natural order *Liliaceæ*. The shrubby and herbaceous vegetation of these swamps belong chiefly to the natural order *Rubiaceæ*; the most conspicuous examples met with being *Sarcocephalus russeggoria*, *Urophyllum hirtellum*, *Stipularia africana*, *Macrosphyra longistyla*, and *Oxyanthus tubiflorus*, the two latter species having very ornamental flowers.

Another pretty plant is the small aquatic balsam *Impatiens Irvingii.* The *Anonaceæ* are represented by *Anona palustris*, and the *Nymphaeaceæ* by *Nymphaea lotus* and *Nymphaea stellata*, both of them with very pretty flowers.

Amongst the aquatic *Amaryllideæ* we have two ornamental species, *Crinum purpurascens* and *Crinum natans*, whilst the most conspicuous orchids belong to the genus *Lissochilus*, two species of which, *Lissochilus longifolius* and *Lissochilus roseus*, are commonly met with.

The *Aroideæ* have several representatives partial to the fresh-water swamps and rivers. One species, *Pistia stratiotes*, the so-called West African "sudd or cabbage weed," is so plentiful in certain localities as to seriously interfere with navigation. *Anchomanes dubius* and *Cyrtosperma senegalense* are striking plants with remarkably large glossy leaves supported at the ends of stout spiny petioles. The transition from the salt-water to the fresh-water swamps is often very gradual, and one frequently finds certain species that are typically representative of one or the other type of environment growing together on the common border land, as it were.

(*c.*) *The Evergreen Tropical Forests of the Plains.*

These form the bulk of the arboreal vegetation met with between the swampy coast forests and the dry deciduous ones of the interior. Their most conspicuous characteristic is the marked predominance of evergreen plants, though a few species with deciduous foliage, such as *Pentaclethra macrophylla*, *Bombax buonopozense*, *Eriodendron anfractuosum*, and two species of *Endendrophragma*, are also to be met with. They contain the majority of the most valuable economic trees of Southern Nigeria, and are hence of great importance to the forester. The number of different species found growing together in such forests is immense,

and much in excess of what one finds in the mixed forests of the temperate zone. They frequently reach the figure of several hundred distinct species to the square mile. Under the dense shade of these tropical forests a deep accumulation of vegetable humus and mould has been formed; this, together with the rich alluvial soils so prevalent in the well-wooded districts, has induced a remarkably lofty tree growth, reaching, in the case of some mahoganies, a height of 250 to 300 feet.

As a rule, the annual rainfall of the areas covered with these evergreen forests exceeds 70 inches, and this latter factor appears, other things being equal, to determine the zones of vegetation. A reduced rainfall, say, of 70 inches and less, is almost invariably associated with the presence of "mixed forests" (*i.e.*, of deciduous leaved and evergreen species in more or less equal proportions) which gradually give place to the "dry deciduous forests" of the interior, where the rainfall rarely exceeds an annual average of 30 to 40 inches.

Forest fires, which are so prevalent in the two latter types of forest are practically absent from the moist evergreen ones, and persons acquainted only with this kind of forest are often surprised at hearing that fire protection is a very necessary measure and must figure prominently in the administrative programme of any attempts at Forest Conservancy in the hinterland.

Taken as a whole and compared with the forests of Eastern Tropical Asia, it cannot be stated that Southern Nigeria is at the present time overstocked with high forests, though it undoubtedly was once extensively wooded with primeval forest.

The wasteful system of farming in vogue in the moist zone, the extensive migrations into it of tribes from the interior, and the constant local shiftings of the inhabited areas on account of internecine warfare has resulted in a general transformation of the forests from the primeval type, to which they once belonged, to the irregular, patchy condition in which they are now found.

Excepting the mangrove swamps on the coast, the fresh-water swamp forests and some of the hill forests, all of which are growing in localities too difficult to cultivate, it may be said that there is not at the present time any extensive patch of primeval forest to be found within the limits of the Colony and Protectorate; that is to say, extensive forests like those met with in the moist zone of Burma, through which the forester can wander for days without coming across the traces of human habitation. It is true that persons may, by merely travelling along the native roads and paths, come to an opposite conclusion, but they have only to strike out to the right and left of such lines for

a short distance to find that the belts of forest left alongside the roads quickly give place to farm-lands.

The bulk of vegetation in these evergreen forests consists of secondary growth that has sprung up since the native farms were last abandoned. The age of this vegetation, of course, varies with the time that has elapsed since that was done, and, in some places, where, owing to intertribal warfare or other causes, the country has become depopulated and the land lain fallow for a long number of years, the growth has almost acquired the character of a "high forest"; but such examples are not very numerous, and the majority of the wooded areas consist of a comparatively low, dense, secondary growth, topped here and there with large trees which have, on account of their size and consequent difficulty met with in felling, been left as "standards" when the land was cultivated. It can easily be understood that such interference of their growth by man has left the forests in a very irregular condition, and that the well graded age classes so essential for the production of a *sustained* supply of produce are, in the case of the more important economic trees, practically absent.

The clearing of the land for farms and their subsequent abandonment has, in general, resulted in giving a favourable start in the struggle for existence to species other than those that happen at the present moment to be of value to man.

Owing to the extreme richness in species of these evergreen forests, it is only possible to give here a very sketchy outline of their contents.

To commence with the more important economic timber trees, we have three species of mahogany of the genus *Khaya;* they are *Khaya senegalensis*, *Khaya grandifolia*, and *Khaya Punchii*, the timber from all of which is exported to Europe under the name of African mahogany. In addition, two species of the genus *Endendrophragma*, viz., *Endendrophragma Condellii* and an unnamed one; and at least one species of *Pseudocedrela*, the woods of which are known generally to the trade as "scented mahogany," are also found in these forests, more especially in the drainage area of the Jamieson River, near Sapoba. All these mahoganies attain a lofty growth in favourable localities, and, on account of their size, have usually been left alone by the natives when cutting the forests for their farms. Some of the biggest *Entandrophragmas* attain an enormous size, and, having survived for centuries through various vicissitudes and alternations in the quantity of light and shade to which their stems have been exposed by repetitions of fellings of the surrounding forest for farms and its subsequent regrowth, the efforts made by the dormant buds in their stems to throw out side-shoots during the periods of free exposure to light has resulted in the formation of that "figure"

in the wood that is so much valued by the trade. Similar "figuring" in the timber is found, but more rarely, in the case of those *Khayas* exposed to like conditions.

The state of the age gradations amongst the mahoganies is extremely unsatisfactory. Very large trees and small saplings are not uncommon, but individuals of an intermediate age are practically absent (generally speaking, the youngest plants rarely survive the next farming rotation, so this unsatisfactory condition continues; the new crop of young mahoganies is mainly due to the seed dropped from the "standards," and this young crop is felled again before it has had time to pass the sapling stage, and so on), hence it has been found necessary to fix the minimum felling girth of these trees at the unprecedently high figure of 12 feet at a distance of 10 feet from the ground; this arrangement provides for a reserve of standards for the future regeneration of the forests. The latter, however, is a makeshift arrangement, and no permanent good can be expected until the richest forests have been reserved and strictly protected against the depredations and damage done by the native farmers.

Other valuable trees belonging to the same natural order (*Meliaceæ*) as the mahoganies are species of *Guarea*, such as *Guarea Thompsonii*, &c., and *Trichilia*, the timbers of which have been exported home under the general trade names of "cedar" and "walnut."

The natural order *Euphorbiaceæ* is represented by one good timber-yielding species, viz., *Ricinodendron africana* (*Heudelotii syn*), fairly common in the southern portions of the Benin District, and known to those natives as the "Okwen." The timber has been well reported on in the home market, and the fruit is rich in fatty oils. Besides these, there are three unnamed species of trees from that district yielding good timbers; they are the "Ainyesan" of the Benis, of a timber like yellow satin-wood, good examples of which have fetched as much as 6*d.* per superficial foot in Liverpool; the "Ugu" of the Benis ("Atalla" of the Jekris), the timber of which is described as a "mahogany of mild texture and good colour," valued at 3*d.* to 6*d.* per superficial foot; and the "Nikiba" of the Benis. The wood of this species has been described by brokers at home as a "species of gummy mahogany," and valued at from 2½*d.* to 3½*d.* per superficial foot.

Under existing conditions it pays to export any timber that realises 3*d.* and upwards per superficial foot in the home markets. The wood of species on which the incidence of taxation is less than that payable on the mahoganies and cedars can be exported profitably at much lower market rates.

Generally speaking, the natural regeneration and the condition of the age classes is more satisfactory in the case of *Ricinodendron africana* and the "Ainyesan" than it is with the mahoganies. Besides the trees mentioned above, there are some species the woods of which have not been tried in the home markets, or, if tried, have failed to establish themselves there, but which, nevertheless, have a good reputation *locally*.

Those from the evergreen forests are the *Iroko*, *Chlorophora excelsa*, of the natural order *Urticaceæ*—a magnificent, lofty tree, the wood of which is the favourite on the coast for house building and furniture. When properly seasoned it is undoubtedly one of the best of African timbers. This species is also common to the "mixed forest" type of vegetation to be next described. The "Odonomokyukyu" (Beni name); a species of *Santiriopsis*, natural order *Burseraceæ*. This wood is much prized in the French and Belgian Congos.

Amongst plants that are valued for products other than large timber, these forests contain,—the Southern Nigeria camwood trees, *Baphia nitida* and *Pterocarpus tinctorius;* the ebony, *Diospyros mespiliformis* and *Diospyros dendo;* the Dika nut tree, *Irvingia Barteri;* the oil bean tree, *Pentaclethra macrophylla;* the butter or tallow tree, *Pentadesma butyracea;* the Ire or silk rubber tree, *Funtumia elastica;* and the rubber vines, *Landolphia owariensis* and *Clitandra elastica*, both of which yield rubber of the first quality; whilst the lofty tree, *Cyanothyrsus ogea*, produces the "gum copal" of the Benin Territories. The valuable oil palm is most plentiful in this type of forest. *Xylopia aethiopica* produces a pungent fruit which is eaten by the natives as a condiment. Other edible fruits are produced by various species of *Canarium* and *Pachylobus*, *Tetrapleura Thonningii*, *Chrysophyllum prunifolium* and *Chrysophyllum africanum*, the two latter of which are the West African representatives of the West Indian star apple.

The evergreen forests gradually merge into the next type as we proceed towards the interior, but they frequently extend far into the drier portions of the country by following the moist courses of the larger rivers, so that the dry forest zones are often intersected here and there by narrow belts of the evergreen type. As a rule, however, the latter generally contain a larger proportion of deciduous leaved species than similar forests confined to the moister climate near the sea.

(d.) The Mixed Forests.

As the name indicates, these forests are composed of a mixture, roughly in about equal prooportions, of evergreen species with those that shed their leaves during the dry

season. Most of the evergreens are represented by practically the same species as those found in the evergreen forests just described. They are generally found growing in the moist soils close to the banks of streams, or in sheltered ravines and on the northern aspect of the hills, whilst the deciduous leaved species occupy mainly the drier soils further back from the rivers and the exposed southern and western aspect. True mixtures of the two, however, are frequently met with, and the general appearance of these forests as seen from a distance and in the hot dry season, when the deciduous leaved species are conspicuous, amply justifies the name.

Amongst the evergreens we have *Musanga Smithii*, the cork-wood tree, a very rapid grower and one of the first to occupy abandoned farmland. It is extensively used as a "nurse" in plantations further south. A similar looking plant, but belonging to a different natural order (*Urticaceæ*), is *Myrianthus arborescens;* it abounds in these forests. Others are: *Haronga madagascariensis; Oncoba spinosa; Carpolobia lutea;* the monkey kola, *Cola afzelii; Sterculia tragacantha;* and the huge *Sterculia cordifolia*, with its conspicuous heart-shaped leaves; *Xanthoxylon senegalensis*, a small, spiny, yellow-wooded tree; *Paullinia pinnata; Deinbollia insignis;* and *Blighia sapida;* the last three of the natural order *Sapindaceæ; Detarium senegalense*, a very lofty tree, the timber of which has been sometimes exported home under the general trade name of "mahogany"; *Piptadenia africana*, another fine hard-wood tree; and *Mimusops lacera;* the timber of the latter is very pretty and has also been sent home as mahogany; *Mimosa asperata*, the sensitive plant found along the banks of the streams; *Caesalpinnia bonducella, Accacia pinnata*, and *Accacia Ataxacantha* are scrambling thorny plants often forming impenetrable thickets.

The *Apocynaceæ* are represented by the beautiful poisonous climbers *Strophanthus gratus, Strophanthus sarmentosus*, and others, as well as trees such as *Holarrhena africana* and *Holarrhena Wulfsbergii*, the latex from which is used by the natives for adulterating better kinds, as is likewise the case with the similar product extracted from *Funtumia africana, Alstonia scholaris, Rauwolfia vomitoria*, the climber *Alafia landolphioides*, the shrubs *Conopharyngia pachysipon* and *Voacanga africana*; all belonging to the same natural order as *Funtumia elastica*. The Ire rubber tree is also found in the moister patches of forest. Amongst the *Loganiaceæ* we have *Usteria guineensis*.

The *Bignoniaceæ* are represented by the "sausage fruit" tree *Kigelia pinnata;* and the *Verbenaceæ* by the trees *Vitex Negaphylla* and *Vitex Cuneata*.

Several undescribed species of *Ficus* are also found in these forests.

As regards the deciduous leaved species we have the two silk cotton trees, *Bombax buonopozense* and *Eriodendron anfracatuosum*, which, although found in the evergreen forests of the plains are more plentiful in the type now being described. The *Sterculiaceæ* are represented by the beautiful trees *Sterculia tomentosa* and *Sterculia Barterii*, the latter of which yields a most excellent rope fibre extensively employed by the natives for tying up their large bundles of cola nuts. Another undescribed species, with leaves like a maple, yields a soft white timber that might replace pitch pine for local house building. A large number of leguminous plants exist in these forests. Amongst them the pretty *Erythrina tomentosa* and *Erythrina senegalense* may be mentioned, as well as *Erythrophlacum guineense*, the "Sasswood" tree; *Lonchocarpus cyanescens*, an indigo-yielding shrub or small tree; *Dialium guineense*, the Senegal tamarind tree (not the same as the true tamarind); several species of *Dalbergias*, *Bauhinia reticulata*, *Albizzia Brownii*, *Albizzia rhombifolius*, and *Brachystegia spicaeformis*, a large tree that is usually more commonly met with in certain mixed forests than in the evergreen ones.

The Iroko tree, *Chlorophora excelsa*, is common to both types of forest, whilst *Afzelia africana*, a good timber tree, a large species of *Terminalia*, which also yields a good wood, the beautiful *Monodora myristica*, *Masrua aethiopica*, and the curious fruited *Schrebera golumgensis* are chiefly confined to this "mixed" type.

(*e.*) *The Dry Open Forests.*

These occupy the dry arid soils of the interior where the rainfall is small and localities at some distance from the influence of the perennial streams. Almost all the species composing this type lose their leaves in the dry season. These forests are very open, with an undergrowth chiefly of grass, and suffer much from the annual jungle fires that sweep through them.

The species characteristic of this type of forest are, amongst trees, *Daniellia thurifera*, from which the produce known to the trade as "balsam copaiba" is extracted; *Accacia catechu; Lophira alata*, with fruit rich in oils; *Accacia sieberiana*, *Entada soudanica*, *Parkia filicoidæ*, the West African locust-bean tree; *Pterocarpus erinaceous*, the West African rosewood tree; *Adansonia digitata*, the Baobab tree, from which a fibre valued in the home market at £9 a ton is extracted; *Parinarium curatellaefolium* and *Parinarium mobala*, bearing edible fruit; *Anogeissus leiocarpus*, the roots of which are used as "chew-stick" by the natives for the

purpose of cleaning their teeth, and the wood ashes as a mordant for fixing dyes; *Pseudocedrela Kotschyi*, a tree with a very pretty wood; *Eugenia owariensis; Crossopteryx Kotschyana; Strychnos emarginata; Zizyphus mucronata;* and, in the more open poor soils, the daleb palm, *Borassus flabelliformis* var. *Aethiopica*, the wood of which is much prized by the natives for house building and bridge erecting, &c. These forests also contain the wild date palm *Phœnix spinosus*, and the shea butter tree *Butyrospermum Parkii*. Various species of leguminous plants belonging to genera *Indigofera, Tephrosia*, and *Crotalaria*, form the undergrowth here and there, whilst ground orchids such as *Lissochilus Heudelotii* and others of the same genus, as well as some species of *Crinum*, belonging to the natural order *Amaryllideæ*, give a pleasing aspect to the open grassy glades.

(f.) The Evergreen Forests of the Hills.

These consist of lofty tree growth occupying the hills above an altitude of 3,000 feet; in such localities not only is the rainfall greater as a rule than that met with in the adjacent plains, but the fall in temperature due to the altitude has a marked influence on the vegetation and accounts for the presence of species not met with in the plains. These hill forests have been up to date imperfectly explored in Southern Nigeria, and require further study before their characteristic type of vegetation can be described.

In conclusion, it is advisable to mention the fact that rainfall (moisture) and quality of soil are the two most important factors governing the distribution of the different types of forests noted above. Where, for instance, the presence of high isolated ranges of hills in the hinterland causes a greater precipitation of moisture than occurs in the surrounding plains, there the evergreen forests will reappear as isolated blocks in the midst of deciduous vegetation or the open grass lands. The latter occupy a good deal of the interior and are practically destitute of tree growth.

The extensive destruction of the wooded areas in the drier localities for farming purposes and the prevalence of fierce jungle fires during the dry season are together gradually converting a great deal of the deciduous forests into the open grass country, and which is slowly encroaching on the wooded areas. In the absence of fire protection this process will continue till the moister regions near the coast are reached, where, owing to the inability of the fires to make much headway, the further spread of the grassy vegetation will be checked.

(B.) The Distribution of the Various Types of Forests.

Within the limits of Southern Nigeria the situation of the various types of forest described above can only be given in a very general manner.

To begin with the *mangrove forests*, these are confined to the deltas of the larger rivers and along the shores of the lagoons. The Central and Eastern Provinces contain extensive forests of this type, in which the component species often attain a good height and appear as dense walls of vegetation along the seaboard.

The *fresh-water swamp forests* are confined mainly to the vicinity of the larger perennial streams. In the Western Province they replace the mangrove forests as one follows the rivers inland from the shores of the lagoons, and are most prevalent along the lower basins of the Oshun, Oni, and Olowa rivers. In the Central Province extensive fresh-water swamps occur in the Sapele, Warri, Agberri, and the southern portions of the Benin District, whilst in the Eastern Province they are, if anything, even more extensive, and occupy large areas in the Brass, Degama, and Opobo Districts. Further eastwards practically all the low-lying littoral portions of the country above the influence of the tides are occupied by this type of vegetation, more especially along the valleys of the Kwa, Ibo, Cross, and Calabar rivers.

The evergreen tropical forests of the plains occupy the southern portions of the *Western Province* south of the 7th parallel of north latitude, except in the north-eastern portion where the presence of high hills and a heavy rainfall have enabled them to occupy areas as far north as the Ilesha District. The most extensive forests of this type are, in fact, situated to the east of the Oshun River where, between that and the Oni River, they occupy large uninhabited areas and stretch right across the Ondo District to the borders of the Central Province. To the west a few forests are found in the Badagry District, but the bulk of these have been exterminated for farming purposes, more especially within the limits of the Colony.

The Central Province contains some fairly extensive forests of this type in the southern portions of the Benin District and along the moist valleys of the Siluko, Osse, and Ogbesi rivers. In the Sapele District they are found along the upper reaches of the Jamieson River. From here they follow the Ossiomo River above the swamp belt right across the Agbor District into the Asaba hinterland. A few forests of this type are found in the Agberi District, but the bulk of that country is occupied with fresh-water swamps.

In the Eastern Province these forests are found chiefly in the Calabar and Cross River Divisions, more especially along the water partings between the Calabar and Kwa rivers and the Cross and Calabar rivers. The lower slopes (below 3,000 feet) of the extensive block of Oban Hills are also clothed with these evergreen forests. Other portions of the Province are, where wooded, inundated for several months of the year and occupied with swamp forests, whilst several

districts have been practically denuded of forest and the soil devoted to the cultivation of agricultural crops and the oil palm.

The mixed forests are found in the hinterland of the Western Province in localities where the rainfall is less than 70 inches. An extensive forest of this type has recently been discovered between Olokemeji and Oyo to the south-west of Ijaye. Other examples are the forests to the south of Ibadan, near Mamu, the Oshun River Reserve, the forests along the Oda Oban River, and the upper reaches of the Oshun River.

In the Central Province the wooded areas in the Ifon District, some distance from the valleys of the Osse and Ogbesi rivers, belong to this type, as do some patches of forest in the Asaba District along the Alabeta creek and Anambra River, as well as those in the country to the west of Idah.

These forests are practically absent from the explored portions of the Eastern Province, though a few patches are met with in the Afikpo District, and possibly larger areas may be found in the country further north towards the Cross River and Benue water-parting.

The Dry Open Forests.—These are characteristic of the remoter and driest portions of the hinterland, where the rainfall rarely exceeds 30 to 40 inches during the year. They are sometimes associated further south with laterite and other poor soils that require a very heavy rainfall in order to sustain luxurious vegetation. In the Western Province such a dry belt with laterite soil stretches across the Egba country to the eastern border of Dahomey between Egoa and Meka.

In the Central Province these forests reappear in parts of the Ifon District, the Kukuruku country, and on the dry laterite soils to the west of Idah. The north-eastern portions of the Oka District also contain laterite plateaux that are clothed with this type of forest wherever the latter has not been exterminated by the inhabitants. Eastwards, it is believed, such forests are found in the extreme northern portions of the recently established District of Abakaliki.

Exports of Forest Produce.

The forest products exported from Southern Nigeria during the years 1903, 1904, and 1905 are shown below:—

1903:—

	£
(*a.*) Timber, 460,446 superficial feet, valued at	32,028
(*b.*) Rubber, 1,177,803 lbs., valued at	61,816
(*c.*) Ebony, 1,048 tons, valued at	3,743
(*d.*) Fibre, 5,685 packages, valued at	3,226
Total	£100,813

1904:—

	£
(*a.*) Timber—	
642,545 cubic feet	30,519
8,767 logs	28,614
(*b.*) Rubber, 2,408,926 lbs.	158,991
(*c.*) Ebony, 321 tons	1,180
(*d.*) Fibre, 5,781 packages	3,678
Total	£222,982

1905:—

	£
(*a.*) Timber—	
Mahogany, 22,096 cubic feet	1,078
,, 10,255 logs	35,237
Other timber, 32,021 cubic feet	1,252
,, 359 logs	1,128
(*b.*) Rubber, 2,842,831 lbs.	226,387
(*c.*) Ebony, 388 tons	1,183
(*d.*) Fibre, 7,290 packages	4,052
Total	£270,317

The complete figures for 1906 are not yet available, but they show a general increase on those of 1905, and there is now no doubt whatever that forest products figure largely in the trade of the Colony and Protectorate. The largest increase is shown in the exports of rubber, that of timber depending on the fluctuations in prices at the home markets.

APPENDIX IV.

CLIMATE.

CLIMATE. MORTALITY. THE DRY AND WET ZONES. THE SEASONS. RAINFALL. TEMPERATURE.

The Dry and Wet Zones.

For the purposes of this section Southern Nigeria is roughly divided into the portion south of 6° 15′ north latitude, termed the "wet zone," and the portion north of that parallel termed the "dry zone." Places having a total yearly rainfall of over 76 inches are considered as belonging to the former, and those having 76 inches and under to the latter.

It should be stated, however, that this yearly rainfall is based on the records for one year only, which nevertheless appears to be a normal one. *See* subsection "Rainfall."

The Seasons.

There are four seasons—the wet, the dry, and two tornado seasons. In the "dry zone" the dry season commences about the beginning of November and continues until the end of March; towards the end of December and during January, the Harmattan, common to both zones, blows; it is a cold, dry north-easterly wind accompanied by a fog formed of sand composed of broken crystals of quartz, diatoms, &c., and rises generally in the early morning. It is so dry that all leather articles shrivel up and crack. Towards the end of March tornadoes and occasional rains set in and continue till the end of April. The wet season begins in May and continues to the end of July, when there is a break until the end of August.

Light rains then start, lasting to the end of September, and are followed by the second tornado season which continues to the end of October.

In the "wet zone" the dry season commences about the beginning of December and lasts until the end of March; tornadoes then set in and continue through April and May. The wet season starts early in June and continues to the end of September with a break (as in the "dry" zone) in August. In October and November there are again tornadoes with occasional rain.

Rainfall.

In the Western Province systematic gaugings and registration have been carried out for some years past, and accurate statistics of the rainfall are, therefore, obtainable. This does not appear to be the case, however, with regard to the Central and Eastern Provinces, as the records in many cases are broken and unreliable. In 1907 the matter is receiving considerable attention, and monthly returns of meteorological observations for all three territorial divisions of Southern Nigeria are published in the Government "Gazette," which will enable a trustworthy map of the rainfall to be compiled in the future.

With the imperfect data referred to above, it is impossible to do much more than to give figures and a diagram in order to convey a general idea of the distribution of rainfall throughout the year. Eighteen stations for which it was possible to obtain complete returns for the year 1906 have been arranged into a "dry zone" and a "wet zone" group. The "dry zone group" comprises those stations which had a total maximum rainfall for that year of 76 inches and under, while the "wet zone" group includes those for which the minimum exceeded 76 inches. The

details of both groups have been tabulated, and the following table, in addition to giving the names of stations, shows:—

(*a*) The monthly rainfall for each station;

(*b*) The total rainfall for the year at each place;

(*c*) The monthly average rainfall for each group; and

(*d*) The total average monthly rainfall for each group.

It will be seen that the maximum rainfall for the year in Group 1 was 74·76 inches at Lagos in the Western Province, while the minimum was 40·92 inches at Olokemeji in the same region. The monthly maximum and minimum were 22·30 inches in June at Lagos and ·03 inch in January at Olokemeji.

The total average monthly rainfall of the group was 53·16 inches.

Group 2 had a maximum fall of 251·49 inches at Opobo, and a minimum of 87·08 inches at Bendi. The monthly maximum and minimum were 56·70 inches at Opobo in June and ·20 inch in March at Afikpo. Opobo, Bendi, and Afikpo are all situated in the Eastern Province. The total average monthly rainfall for the group was 128·67 inches.

In the diagram plotted from the figures in the table the monthly average rainfall of both groups are compared, with the result that the "dry zone" has the highest and lowest mean of 9·26 inches in June and ·31 inch in January, against the highest and lowest mean of the "wet zone," which was 20·37 inches in July and ·28 inch in January.

It should be noticed that the break in the rains of both groups occurs in the month of August.

Table of Rainfall for Dry and Wet Zones.

Group 1.—(*Dry Zone*).

1906.	Olokemeji, W.P.	Asaba, C.P.	Ibadan, W.P.	Oyo, W.P.	Oshogbo, W.P.	Ondo, W.P.	Onitsha, C.P.	Badagry, W.P.	Epe, W.P.	Lagos, W.P.	Average.
January ..	·03	Nil	·06	Nil	Nil	·14	Nil	·62	1·22	1·04	·31
February ..	·19	1·53	·96	Nil	Nil	1·09	1·41	5·28	2·78	2·18	1·54
March ..	1·71	Nil	2·35	3·46	1·47	3·13	·77	2·92	·77	1·11	1·76
April	2·10	4·48	5·15	5·10	6·89	4·01	5·95	5·72	4·19	4·00	4·75
May	8·01	2·49	7·03	7·79	5·58	7·98	9·69	13·52	14·50	16·02	9·26
June	6·43	3·58	4·22	5·89	5·24	8·70	4·03	11·32	16·03	22·30	8·77
July	6·93	1·79	9·89	5·69	10·49	12·43	4·74	8·02	9·01	15·90	8·46
August ..	1·02	4·26	2·88	1·59	1·75	4·77	15·60	·82	4·03	1·68	3·84
September ..	6·59	15·36	8·90	5·61	12·27	9·60	9·25	1·35	2·31	1·67	7·29
October ..	4·31	10·53	3·17	6·94	3·99	·78	6·35	4·26	4·53	6·91	5·17
November ..	1·97	·25	1·49	1·68	Nil	1·68	·27	2·21	·86	1·37	1·17
December ..	1·63	Nil	·40	2·85	·27	·28	·15	2·30	Nil	·58	·84
Total ..	40·92	44·27	46·30	46·60	47·95	54·59	58·21	58·34	60·23	74·76	53·16

Group 2.—(*Wet Zone*).

1906.	Bendi, E. P.	Benin City, C. P.	Afikpo, E. P.	Forcados, C. P.	Sapele, C. P.	Bonny, E. P.	Calabar, E. P.	Opobo, E. P.	Average.
January	Nil	Nil	Nil	·80	Nil	·77	·40	·30	·28
February	3·88	2·15	3·00	6·57	2·15	2·16	1·05	3·88	3·10
March	2·06	4·95	·20	5·87	3·89	3·25	7·11	5·47	4·10
April	11·19	3·85	6·81	4·46	9·21	9·82	14·73	12·07	9·02
May	10·87	10·47	13·46	11·34	9·41	14·12	17·99	26·34	14·25
June	10·13	3·06	4·70	8·14	15·55	19·37	13·10	56·10	16·34
July	8·37	16·32	18·80	13·20	14·73	27·38	28·52	41·65	20·37
August	17·66	12·34	19·19	13·35	14·78	6·58	18·37	26·84	16·13
September	12·90	17·12	19·07	13·85	16·33	24·01	24·68	33·93	20·23
October	9·52	17·07	8·63	13·65	17·24	15·30	19·34	25·28	15·75
November	Nil	4·44	Nil	2·95	2·90	21·10	5·65	13·85	6·36
December	·50	1·53	Nil	4·15	·50	4·40	5·70	5·18	2·74
Total	87·08	93·30	93·86	98·33	106·69	142·26	156·64	251·49	128·67

NOTE.—W. P. signifies Western Province.
C. P. signifies Central Province.
E. P. signifies Eastern Province.

Temperature.

In the "wet zone," the hottest months are December, January, February, and March, and the coolest May, June, July, and August, the mean daily maximum temperature in the shade being 88° F., and the mean daily minimum in the shade 73° F.

In the rainy season at night, and when the Harmattan is blowing, the temperature often falls to 68° F., which brings a distinct feeling of chilliness both to natives and Europeans, and a desire for warmer clothing to the latter.

In the "dry zone" the range of temperature is greater, and it is hotter in the day and cooler at night, the range being normally between 95° F. and 54° F. The thermometer has been known, however, to have reached as high as 105° F., and to have fallen as low as 46° F.

RETURN No. 1.

Return of CRIMINAL CASES held under the FORESTRY PROCLAMATION during the Year 1906.

Central Province.

No.	District.	Defendant. (*a*)	Charge. (*b*)	Judgment. (*c*)	Remarks and date. (*d*)
1.	Benin City	Akele and Odiashe ...	Collecting rubber without licences	Akele, fined £1; Odiashe, six months' imprisonment.	16th March, 1906.
2.	Do.	Alode and Adonimi ...	Do. do. do. do.	Six months' imprisonment each.	1st June, 1906.
3.	Do.	Ojo	Do. do. do. do.	Discharged (no evidence).	1st June, 1906.
4.	Do.	Malam	Do. do. do. do.	Six months' imprisonment.	11th July, 1906.
5.	Do.	Otutu and two others ...	Do. do. do. do.	Do. do.	18th July, 1906.
6.	Do.	Oni	(1) Obstructing a forest guard. (2) Using his licence to collect rubber in another village.	Do. do.	25th July, 1906.
7.	Ifon ...	Ajomale	Collecting rubber without licence.	Two months' imprisonment (hard labour).	31st July, 1906.
8.	Do.	Belo	Do. do. do. do.	Discharged (no evidence).	31st July, 1906.
9.	Do.	Oguntimehin, Agagbala and two others.	Collecting rubber without licence and offering bribe of 10*s.* to Government messenger.	Oguntimehin, not guilty of collecting rubber; Agagbala, sentence for six weeks' imprisonment for giving messenger 10*s.*	31st July, 1906.

RETURN No. 2.

RETURN of RUBBER PLANTATION made during the Year 1906.

Central Province (W.D.).

No.	District and Roads.	No. of Plantation.	No. of Seedlings Transplanted.	Remarks.
1.	Sapoba	76	30,804	
2.	Gilli Gilli and Agba ...	34	9,072	
3.	Siluko	32	11,314	
4.	Utte	17	7,920	
5.	Uspien	26	7,825	
6.	Ifon	50	23.199	
7.	Owo	9	910	
8.	Jeduma Road	26	7,160	
9.	Ishan	46	38,415	
10.	Asaba Road	15	5,836	
11.	Agbake	16	17,320	
12.	Issi	22	7,360	
		369	167,135	

RETURN No. 3.

RETURN of MAHOGANY SEEDLINGS planted during the Year 1906.

Central Province.

No.	Name of Lease-holder.	No. of Seedlings Transplanted.	Remarks.
1.	Alex. Miller, Brother & Co. ...	650	
2.	McNeil, Scott & Co.	3,900	
3.	I. T. Palmer & Co.	3,000	
4.	Bey and Zimmer	2,960	
5.	W. B. McIver & Co.	10,930	
6.	Nigerian Mahogany and Trading Company.	5,000	
7.	Pinnock Stores, Ltd.	—	Nursery made.
8.	J. G. M. Cranstoun & Co. ...	9,000	
	Total	35,440	

RETURN No. 4, 1906.

Central Province.

No.	Name of Concessionaire. (*a*)	Concession Number.	Area of Concession. (*b*)	Regulation under which it has been granted.	Trees Felled.	District.
			Square miles.			
1.	McNeil, Scott & Co....	2/1	9	Rule 4/1901	Nil	Benin City.
2.	Do. do.	3/1	9	„ 4/1901	„	Do
3.	Alexander Miller, Brother & Co.	4/1	9	„ 4/1901	„	Do.
4.	Do. do do.	5/1	9	„ 4/1901	„	Do.
5.	McNeil, Scott & Co....	6/1	9	„ 4/1901	„	Do.
6.	Do. do.	7/1	9	„ 4/1901	„	Do.
7.	Alexander Miller, Brother & Co.	8/1	9	„ 4/1901	70	Do.
8.	African Association (A.M.B.)	9/1	9	„ 4/1901	Nil	Do.
9.	McNeil, Scott & Co.	11/1	9	„ 4/1901	„	Do.
10.	Alexander Miller, Brother & Co.	13/1	72	„ 6/1905	„	Do.
11.	Do. do. do.	14/1	?			
12.	McNeil, Scott & Co.	7/2	9	„ 4/1901	„	Do.
13.	Alexander Miller, Brother & Co.	8/2	9	„ 4/1901	„	Do.
14.	African Association	9/2	9	„ 4/1901	„	Do.
15.	McNeil, Scott & Co.	11/2	9	„ 4/1901	„	Do.
16.	Bey and Zimmer	13/2	100	„ 6/1905	103	Do.
17.	Alexander Miller, Brother & Co.	10/3	9	„ 4/1901	Nil	Do.
18.	Bey and Zimmer	11/3	9	„ 14/1903	11	Do.
19.	Alexander Miller, Brother & Co.	1/3	80	„ 6/1905	140	Do.
20.	Do. do. do.	2/3	100	„ 6/1905	Nil	Do.
21.	Do. do. do.	3/3	90	„ 6/1905	214*	Do.
21.	McNeil, Scott & Co....	4	60	„ 4/1901	32	Do.

* 30 out of these were not felled.

22.	W. B. McIver & Co....	5	25	„ 4/1901	Nil	Do.
23.	Alexander Miller, Brother & Co.	2/6	9	„ 4/1901	„	Do.
24.	Thompson, Blois & Co. (now Nigerian Mahogany and Trading Company).	6	9	„ 14/1903	242	Do.
25.	McNeil, Scott & Co....	7	150	„ 14/1903	424	Do.
26.	Alexander Miller, Brother & Co.	1/8	9	„ 4/1901	Nil	Do.
27.	McNeil, Scott & Co.	2/8	9	„ 4/1901	„	Do.
28.	Alexander Miller, Brother & Co.	3/8	9	„ 4/1901	„	Do.
29.	Do. do. do.	6/8	9	„ 4/1901	75*	Do.
30.	Do. do. do.	7/8	9	„ 4/1901	20	Do.
31.	Do. do. do.	8/8	9	„ 4/1901	26	Do.
32.	Do. do. do.	8	80	„ 6/1905	Nil	Do
33.	Do. do. do.	4/9	9	„ 4/1901	„	Do.
34.	Do. do. do.	6/9	9	„ 4/1901	„	Do.
35.	Do. do. do.	7/9	9	„ 4/1901	„	Do.
36.	Do do. do.	9	9	„ 4/1901	„	Do.
37.	McNeil, Scott & Co.	11	150	„ 6/1905	180	Do.
38.	Do. do.	12	100	„ 6/1905	Nil	Do.
39.	Alexander Miller, Brother & Co.	8/13	9	„ 4/1901	„ †	Do.
40.	Do. do. do.	13	30	„ 6/1905	„	Do.
41.	Bey and Zimmer	14	60	„ 14/1903	65	Do.
42.	Alexander Miller, Brother & Co.	10/15	9	„ 4/1901	Nil	Do.
43.	Bey and Zimmer	15	250	„ 14/1903	13	Do.
44.	Alexander Miller, Brother & Co.	16	200	„ 4/1901	Nil	Do.
45.	W. B. McIver & Co.	17	230	„ 4/1901	20	Do.
46.	Do.	1/18	100	„ 6/1905	70	Do.
47.	I. T. Palmer & Co.	2/18	100	„ 6/1905	Nil	Do.
48.	Alexander Miller, Brother & Co.	1/19, 6/19, 5/19, 7/19, 9/19	9	„ 4/1901	„ ‡	Do.
49.	J. G. M. Cranstoun	4/19	9	„ 4/1901	122	Do.
50.	Alexander Miller, Brother & Co.	5/19	9	„ 4/1901	60	Do.
51.	Do. do. do.	19	54	„ 4/1901	Nil	Do.
52.	W. B. McIver & Co.	1/20	9	„ 4/1901	227§	Do.

* This area is now included in area No. 8 † Now included in area No. 13. ‡ These areas are now included in area No. 19.
§ All were not felled.

RETURN NO. 4—*continued.*

No.	Name of Concessionaire.	Concession Number.	Area of Concession.	Regulation under which it has been granted.	Trees felled.	District.
			Square miles.			
53.	I. T. Palmer & Co.	2/20	9	Rule 4/1901	296	Benin City.
54.	J. G. M. Cranstoun	3/20	9	„ 4/1901	146	Do.
55.	W. B. McIver & Co....	4/20	9	„ 4/1901	20	Do.
56.	Alexander Miller, Brother & Co.	5/20	9	„ 4/1901	Nil	Do.
57.	W. B. McIver & Co.	20	350	„ 4/1901	160	Do.
58.	J. G. M. Cranstoun	2/21	9	„ 4/1901	54	Do.
59.	W. B. McIver & Co.	3/21	9	„ 4/1901	Nil	Do.
60.	J. G. M. Cranstoun	21	100	„ 6/1905	73	Do.
61.	I. T. Palmer & Co.	1/22	100	„ 6/1905	118	Agbor.
62.	W. F. Bartlett	23	100	„ 6/1905	Nil	Do.
63.	W. B. McIver & Co.	26	60	„ 6/1905	„	Brass.
64.	Pinnock Stores, Ltd.	1/27	100	„ 6/1905	237	Ifon.
65.	Alexander Miller, Brother & Co.	2/27	100	„ 6/1905	237	Do.
66.	J. S. Bleasby...	28	100	„ 6/1905	Nil	Do.
67.	Pinnock Stores, Ltd.	29	100	„ 6/1905	„	Do.
68.	I. T. Palmer & Co.	30	100	„ 6/1905	100	Do.
69.	Do.	31	100	„ 6/1905	Nil	Warri.
70.	A. Strohm	32	100	„ 6/1905	„	Do.
71.	McNeil, Scott & Co....	39	100	„ 6/1905	„	Benin City and Ishan.
72.	Alexander Miller, Brother & Co.	40	100	„ 6/1905	„	Benin City.
73.	Richard Parks	43	100	„ 6/1905	„	Brass District.
74.	W. B. McIver & Co.	63	100	„ 6/1905	„	Agberri.
75.	Taylor and C. A. Oni	64	100	„ 6/1905	„	Do.
				Total of trees	3,318	

Eastern Province, 1906.

No.	Name of Concessionaire.	Area of Concession.	Regulation under which it has been granted.	Number of trees felled.	District.
		Square miles.			
1.	R. M. Naylor, Esq.	100	Rule 6 of 1905	Nil	Ayama Concession (Brass District).
2.	Do.	100	Do.	80	Taylor Creek (Brass District).
3.	Nigerian Mahogany and Trading Company.	100	Do.	Nil	Engenni Concession (Degama District).
4.	Do. do. do. do.	280	Do.	,,	Cross River (Okuni District).
5.	Do. do. do. do.	100	Do.	,,	Kwa River (Calabar District).
6.	R. B. Maltby, Esq.	90	Do.	,,	Calabar River Falls (Calabar District).
7.	Chief Effion Otu Ekom	60	Do.	40	Uwet (Calabar District).
			Total ...	120	

NOTE.—With the exception of No. 3, the other concessions of the Nigerian Mahogany and Trading Company have been cancelled, as work was not started on them within the prescribed time limit.

H. N. THOMPSON,
Conservator of Forests.

RETURN No. 5.

Return of Trees Felled during the Year 1906.

Central Province.

	Under Rule.	No. of Trees felled.	Revenue.	Royalties to Chiefs and Villages.	Forestry Fund.
			£ s. d.	£ s. d.	£ s. d.
I.	Rule No. 6 of 1905	2,499	5,747 14 0	1,090 0 0	—
II.	„ „ Royalties on trees felled on King's land (384 trees).		79 15 0	—	79 15 0
III.	„ „ Rebate	17	3 8 0	8 10 0	—
IV.	Rule No. 14, 1903—Inspection fees—Customs	173 —	34 12 0 363 6 0	86 10 0 0 6 0	— —
V.	One tree felled in making canoe	1	0 4 0	0 6 0	—
VI.	Rule No. 4 of 1901—Customs	639	1,341 18 0	319 10 0	—
	Total	3,329	7,570 17 0	1,504 16 0	79 15 0

RETURN No. 6.

Return of Areas not being Worked during the Year 1906.

Central Province.

No.	Name of Lease-holder.	Area No.
1.	Alexander Miller, Brother & Co.	4/1, 5/1, 8/1, 9/1, 8/2, 9/2, 10/15, 1/8, 3/8, 4/8, 5/8, 10/3, 8, 2/6, 2/3, 5/20, 4/9, 7/9, 8/13, 1/9, 6/9, 5/19, 6/19, 7/19, 9, 16, 13, 2/27.
2.	McNeil, Scott & Co.	2/1, 3/1, 6/1, 7/1, 7/2, 11/2, 2/8, 11/1.
3.	W. B. McIver & Co.	5, 3/21.
4.	I. T. Palmer & Co.	2/18, 31.

RETURN No. 7.

Return of Timber Areas Provisionally Granted during the Year 1906.

Central Province.

No.	Name of Lease-holder.	Area No.	Remarks.
3.	McNeil, Scott & Co.	11, 12, 39	No. 11 already being worked.
1.	W. B. McIver & Co.	26	
1.	Alexander Miller, Brother & Co.	40	
1.	W. F. Bartlett	23	
2.	I. T. Palmer & Co.	30, 31	
1.	A. Strohm	32	
1.	J. G. M. Cranstoun & Co. ...	21	
1.	J. S. Bleasby	28	
1.	Pinnock Stores, Ltd.	29	
1.	Richard Parks	44	

RETURN No. 8.

RETURN of AREAS APPLIED FOR and NOT YET PROVISIONALLY GRANTED.

Central Province.

No.	Name of Lease-holder.	Area No	—
	R. J. Robinson	25. Application withdrawn 13th January, 1906.	Reapplied for by M. J. Hughes.
	i. McNeil, Scott & Co. ...	33	
	ii. Nigerian Mahogany and Trading Company.		
	iii. Pinnock Stores, Ltd. ...		
8.	Nigerian Mahogany and Trading Company.	34, 35, and 6 more areas on the Ogbesi and Alla rivers.	
3.	J. T. Palmer & Co. ...	36, 51, Abo.	
1.	J. G. M. Cranstoun & Co.	37	
2.	McNeil, Scott & Co. ...	38. Oloji creek.	
6.	Richard Parks	41, 42, 43, 48–50, 12/2.	
3.	Pinnock Stores, Ltd. ...	45, 46, 52	
3.	M. J. Hughes	47. Okpara and Adofi rivers.	
2.	W. F. Bartlett	Niger and Warri districts.	
1.	Chief Okoro Dudu ...	Brass creek.	

RETURN No. 9.

RETURN of RUBBER LICENCES issued during the Year 1906.

Central Province (W.D.).

District.	No. of Licences issued to Natives.	No. of Licences issued to Foreigners.	Total.	Revenue.	Royalties to Chief and Villages.
				£ s. d.	£ s. d.
Benin City ...	645	91	736	368 0 0	89 10 0
Ifon	328	50	378	189 0 0	25 0 0
Total ...	973	141	1,114	557 0 0	114 10 0

RETURN No. 10.

TABLE SHOWING RESULTS of COTTON EXPERIMENTS carried out at OLOKE MEJI during the Season 1906–7.

No.	Name.	Seed from	Size of Plot.	When Sown.	Germination.	Yield.	Yield per acre in lbs.	Analysis.			Remarks.
								Lint.	Seed.	Waste.	
			Acre.					Per cent.	Per cent.	Per cent.	
1.	Black Rattler ...	Oloke Meji	1/5	May 15th.	Poor.	—	—	—	—	—	Entire failure owing to being sown too early.
2.	Do. ...	Do.	1/10	August 7th.	Do.	8·25	82·50	36·39	60·6	3·04	
3.	Richmond	Do.	1/10	Do.	Do.	42·00	140·00	28·50	67·0	4·5	
4.	Eponkon	Do.	1/5	Do.	Good.	105·00	525·00	24·7	72·3	3·0	Native brown cotton.
5.	Abassi	Do.	1/10	Do.	Poor.	21·00	210·00	31·0	67·0	2·0	
6.	Ashmoni	Do.	1/10	Do.	Good.	30·00	300·00	33·3	63·3	3·4	
7.	Janovitch	Do.	1/10	Do.	Very bad.	12·00	120·00	33·3	58·3	8·4	
8.	Kidney	Do.	1/10	Do.	Good.	34·00	340·00	41·0	53·0	6·0	
9.	Georgia	Do.	1/10	Do.	Poor.	15·00	150·00	36·0	60·0	3·4	
10.	Ogodo	Do.	1/10	Do.	Do.	49·00	490·00	28·5	69·5	2·0	Native white cotton.
11.	Sea Islands... ...	Do.	1/10	August 8th.	Very bad.	6·00	60·00	33·3	58·3	8·4	
12.	Allen's improved ...	B. C. G. A.	1/10	August 2nd.	Good.	19·50	195·00	30·7	66·6	2·7	
13.	Culp...	Do.	1/10	Do.	Do.	15·00	150·00	33·3	60·0	6·7	
14.	Janovitch	Do.	1/10	August 1st.	Do.	24·00	240·00	33·3	62·5	4·2	
15.	Peruvian	Do.	1/10	Do.	Do.	40·00	400·00	17·5	80·0	2·5	
16.	Abassi	Do.	1/10	Do.	Do.	32·00	320·00	34·4	62·5	3·1	
17.	Jones' improved ...	Do.	1/10	July 31st.	Bad.	8·25	8·50	36·6	60·6	3·04	
18.	Russell's big bowl...	Do.	1/10	August 3rd.	Very bad.	—	—	—	—	—	Entire failure owing to very bad germination
19.	Hawkins' extra prolific.	Do.	1/10	August 4th.	Do.	—	—	—	—	—	
20.	Sun flower long staple.	Do.	1/10	Do.	Do.	—	—	—	—	—	

RETURN No. 11.

ONITSHA PLANTATIONS.

Plot 1. American Cotton.—Planted 15th June, 1906, on ridges; applied 1 cwt. of lime and 56 lbs. of the following mixture: sulphate of ammonia, 2; sulphate of potash, 1. Result, 139½ lbs. of cotton.

Plot 2. American Cotton.—Planted 23rd June on the flat; applied 1 cwt. of lime and 56 lbs. of the following mixture: sulphate of ammonia, 1; dissolved bones, 2; sulphate of potash, 1. Result, 143 lbs.

Plot 3. American Cotton.—Planted 15th June on ridges; applied 1 cwt. of lime and 56 lbs. of the following mixture: sulphate of ammonia, 2; sulphate of potash, 1. Result, 95 lbs.

Plot 4. Agege Cotton (Lagos hybrid).—Planted 7th of June. No manure. This plot suffered greatly from leaf blister mite. Result, 18½ lbs.

Plot 5. Turkish Tobacco.—Planted out seedlings 28th June; applied 15 lbs. of sulphate of potash. Result, between 200 and 300 heads.

Plot 6. Guinea corn and cow peas.—Planted cow peas 7th April. Forked in cow peas and planted guinea corn 11th August. No manure. Result, 120 lbs. unthreshed.

Plot 7. Millet and cow peas.—Forked in cow peas and planted millet 7th July. No manure. Result, 10 lbs. of seed.

Plot 8. Native Cotton.—Planted 7th June; applied 1 cwt. of sulphate of lime on 29th July and 56 lbs. of the following mixture: sulphate of ammonia, 1; sulphate of potash, 1; dissolved bones, 1, on the 16th June. Result, 30 lbs.

Plot 9. Indigo.—Grown for seed; planted 2nd May. No manure. Result, 18 lbs. of unshelled seed.

Plot 10. Left in pigeons' peas from previous year. No manure. Seed not ready for picking.

Plot 11. Ditto.

Plot 12. Sugar cane.—Two years on plot; applied 75 lbs. of sulphate of ammonia on the 2nd July. Result, £2 realized on local sales.

Plot 13. Left in pigeon peas. No manure. Result, 150 lbs. of unshelled seed.

Plot 14. American Cotton, var. Jones's improved.—Applied 20 cwt. of farmyard manure 17th April; planted cotton 23rd June; applied 1 cwt. of lime 12th July, and, on the 24th July, 56 lbs. of the following mixture: sulphate of ammonia, 1; sulphate of potash, 1; dissolved bones, 2. Result, 47 lbs.

Plot 15. Cow peas and 3½ rows of English potatoes.—Applied 70 cwt. of farmyard manure; potatoes a failure. Yielded about 2 lbs.

Plot 16. Left in pigeon peas; no manure. Result, 250 lbs. of unshelled seed.

Plot 17. Agege Cotton (Lagos hybrid).—This plot was very heavily manured with 155 cwt. of farmyard manure, 1 cwt. of superphosphate of lime, and ½ cwt. of Peruvian guano. Result, 38½ lbs.

Plot 18. Cow peas. No manure.

Plot 19. Barbados beans.—No manure. Result, a good supply of seed, which was used for planting up various other plots.

Plot 20. Akpakapakera beans.—No manure. Result, 46 lbs. of unshelled seed.

Plot 21. Akpakapakera beans.—½ plot; no manure Result, 39 lbs. of unshelled seed.

Plot 22. Igara (Black-eyed peas).—Forked into ground.

Plot 23. Ditto.

Plot 24. Agege Cotton (Lagos hybrid).—Planted 26th June on the flat; no manure. Result, 128 lbs.

Plot 25. American Cotton.—Planted 15th June on ridges; no manure. Result, 119 lbs.

Plot 26. American Cotton.—Planted 15th June on ridges; applied 1 cwt. of lime 10th July, and, on the 27th July, 56 lbs. of the following mixture: sulphate of ammonia, 1; sulphate of potash, 1; dissolved bones, 2. Result, 114½ lbs.

Plot 27. Virginia Tobacco.—Applied 60 cwt. of farmyard manure on 13th April; planted out seedlings on the 27th June; applied 28 lbs. of sulphate of potash on 9th July. This crop did not do much.

Plot 28. Kentucky Tobacco.—Applied 50 cwt. of farmyard manure on the 12th April; planted out on the 24th June; applied 28 lbs. of sulphate of potash on the 9th July. Result, 400 heads of tobacco.

Plot 29. Maryland Tobacco.—Applied 30 cwt. of farmyard manure the 24th May; planted out on the 4th June; applied 26 lbs. of sulphate of potash on the 9th July. Result, a few heads only were taken off this plot.

Plot 30. Glauca Tobacco.—The leaf of this tobacco is far too small to be of any use in the local market.

Plot 31. Native Cotton.—Applied 50 cwt. of farmyard manure in the middle of May; planted seed on ridges 7th June. Result, 12 lbs.

Plot 32. Agege Cotton (Lagos hybrid).—Applied 50 cwt. of farmyard manure on the 11th April; planted seed on ridges

7th June; applied 1 cwt. of lime on 28th June, and 56 lbs. of the following mixture on 16th July: sulphate of ammonia, 1; sulphate of potash, 1; dissolved bones, 2. Result, 19½ lbs.

Plot 33. American Cotton, var. Hawkins's Prolific.—Planted 23rd June; applied 1 cwt. of sulphate of lime 24th July, and 56 lbs. of the following mixture: sulphate of ammonia, 1; sulphate of potash, 1; dissolved bones, 2 Result, 27 lbs.

Plot 34. Cow peas.

Plot 35. American Cotton, var. Culpepkers' Big Boll.—Planted 23rd June; applied 1 cwt. of sulphate of lime on 25th July and 56 lbs. of the following mixture on the 10th August: sulphate of ammonia, 2; sulphate of potash, 1. Result, 31 lbs.

Plot 36. American Cotton, var. Russell's Big Boll.—Planted 23rd June; applied 1 cwt. of sulphate of lime on 25th July, and 56 lbs. of the following mixture: sulphate of ammonia, 1; sulphate of potash, 1; dissolved bones, 2. Result, 42½ lbs.

Plot 37. American Cotton, var. "Sunflower."—Planted 23rd June; applied 1 cwt. of lime 25th July, and 56 lbs. of the following mixture on 10th August: sulphate of ammonia, 2; sulphate of potash, 1. Result, 59 lbs.

Plots 38, 39, 40, 41, 42, 43, and 44 were occupied with two-years old castor-oil plants. Having very little seed on, "about 3 lbs.," I cleared the ground and planted cow peas, &c., to be dug into ground.

Plot 45. Yams and Ground-Nuts.—Planted yams on the 17th May and ground-nuts on the 19th May between rows; no manure. Yield of yams, a trifle over 3,000 lbs.; yield of ground-nuts, 200 lbs.

RETURN No. 12.

PLANTS, &c. distributed during 1906.

Western Province.

No.	Name of plants, &c.	Sold.	Presented.
1.	Gbanja Kola	7,293	—
2.	Abata Kola	114	—
3.	Ire Rubber	1,000 and 7 lbs. (seed)	5,629 and 1 box (seed)
4.	Para Rubber	2,816	—
5.	Ficus elastica...	24	190
6.	Nutmeg	291	—
7.	Cocoa	705	—
8.	Mango...	30	—
9.	Pine-apple	284	24 suckers
10.	Banana	350	1,338
11.	Arabian coffee	116	—
12.	Miscellaneous fruit trees ...	613	112
13.	Shade trees	278	—
14.	Ornamental plants	2,345 and 16 (packets seed)	684
15.	Flower and vegetable (seed).	23 packets	44
16.	Bahama grass	26 bundles	12 bundles
17.	Iroko	—	2,504
18.	Shea butter	—	1,200
19.	Arrowroot	—	61 baskets and 115 lbs. tubers.
20.	Ginger...	—	8 baskets and 25 lbs. tubers.
21.	Yams (Fiji)	—	25 lbs.
22.	Jute	—	589 lbs. (seed)
23.	Rice	—	45 lbs. (seed)
24.	Orange seed	—	1 lb.
25.	Native seed	—	33 packets (seed)

TOTALS.—25,944 plants, 1,996 suckers (624 lbs., 116 packets and 1 box seed), 36 baskets and 140 lbs. tubers and 38 bundles. Amount realised—£75 5*s.* 1*d.*

RETURN No. 13.

List of PLANTS, &c. presented to the BOTANIC GARDENS of the W.P.

Western Province.

From where received.	Name.	Seeds.	Plants.
His Excellency the Governor, Southern Nigeria.	*Eugenia cambosa*	1 packet	
Do. ...	*Eugenia malaccensis* (2 varieties).	2 packets	
Do. ...	*Averrhoa carambola* (Carambola tree).	1 packet	
Do. ...	*Averrhoa Bilimbi* (Bilimbi tree).	1 packet	
Do. ...	*Paspalum dilatatum* (South American fodder grass).	1 packet	
Do. ...	Vegetable and flower seed (various).	—	
H. N. Thompson, Esq. ...	Orange seed from India and Burma.	—	
J. H. Black, Esq.... ...	*Acaccia Baileyana* (Gold Wattle).	1 packet	
Do.	*Passiflora edulis* (Passion fruit).	1 packet	
Do.	*Persea gratissima* (avocado pear).	—	2
P. G. Thompson, Esq. ...	*Passiflora quadrangularis* ...	12	
Botanic Gardens (Jamaica)	*Juniperus bahardensis* (Juniper cedar).	1 packet	
Do. do.	*Oreodoxa oleracea* (Cabbage palm).	1 packet	
Do. do.	*Geonoma Swortzii* (Long Thatch palm).	1 packet	
Botanic Gardens (Tobago)	*Cassia marginata*	1 packet	
Botanic Gardens (British Guiana).	*Mangifera indica* (Mango) ...	79	
Curator (Sierra Leone) ...	*Oryza sativa* (Vars) Rice ...	—	
Corporation (City of Cape Town).	*Carrisa arduina*	1 packet	
Do. do.	*Asparagus spenjerii*	1 packet	
Do. do.	*Opuntia* sp.	1 packet	
Do. do.	*Pologala myrtifolia*	1 packet	
Do. do.	*Aberia coffra*	1 packet	
Do. do.	*Diosma crenata*	1 packet	

RETURN No. 14.

WESTERN PROVINCE.

LIST of EXHIBITS shown by the Forestry Department, Western Province, at the Lagos Agricultural Show.

Timber.

No. 1. Emi Gbegi, *Entandropragma sp.*
No. 2. Apa, *Afzelia africana.*
No. 3. Oro, *Antiaris toxicaria*, var. *africana.*
No. 4. Irewe, botanical name unknown.
No. 5. Ishin Jeje, *Cupania akeesia.*
No. 7. Ayinretta, *Albizzia fastigiata.*
No. 9. Opon Oro, botanical name unknown.
No. 10. Emido, *Mimusops lacera.*
No. 10A. Section of the same species as No. 10.
No. 10B. Seasoned plank out of the same tree as No. 10A.
No. 12. Idi Igbo, botanical name unknown.
No. 13. Ayinre Langara, *Albizzia* sp.?
No. 14. Ishin Oko, botanical name unknown.
No. 15. Awin, *Dialium guineense.*
No. 16. Ireno, *Holarrhena Wulfsbergii.*
No. 17. Iya Odan, *Daniellia thurifera.*
No. 18. Ayin, *Anogeissus leiocarpus.*
No. 19. Emigidi, *Butryspermum Parkii.*
No. 20. Atta, *Zanthoxylon guineense.*
No. 22. Idi Odan, botanical name unknown.
No. 23. Osandan, botanical name unknown.
No. 24. Irugba, *Parkia filicoidea.*
No. 25. Aridan, *Tetrapleura Thonningii.*
No. 26. Ayinre Bona-Bona, *Albizzia Brownei.*
No. 26A. Seasoned log of No. 26.
No. 27. Ako Ayo, botanical name unknown.
No. 28. Ashasha, botanical name unknown.
No. 29. Arere, *Sterculia* sp.?
No. 30. Apara, *Pentaclethra macrophylla.*
No. 31. Oro, botanical name unknown.
No. 32. Emigbo, botanical name unknown.

Fibres.

Ramie (*Boehmeria nivea*).

Sisal hemp (*Agave rigida*, var. *Sisalana*).

Mauritius hemp (*Furcraea gigantea*).

Sanseveria guineensis.

Bolobolo (*Urena lobata*).

Esho (*Sterculia Barterii*).

Hibiscus sp.?

Arrowroot.—(Prepared).

Cocoa.—(Prepared and ripe pods).

Cotton.—Egyptian and native varieties.

Fruits.—Grape fruit.

Rubber.—Prepared samples of Ire (*Funtumia elastica*), Ibo-Tabong (*Landolphia owariensis*), Ibo gidi (*Landolphia florida*), Ibo Akitipa (*Landolphia sp.*), Ibo Elikiti (*Carpodinus hirsuta*).

RETURN No. 15.

METEOROLOGICAL OBSERVATIONS, 1906, OLOKE MEJI.

—	Air Temperature.									Humidity.			Rainfall.			
	9 a.m.	Means of absolute Maximum and Minimum.						Greatest Diurnal Variation.								
		Max.	Min.	Max.	Day.	Min.	Day.	Variation.	Date.	Vapour Tension.	Percentage Humidity.	Dew Point.	Total for month.	Max. on one Day.	Date.	Rain fell on days.
	°	°	°					°				°	inches.	inches.		
January ..	79·8	96·09	67·1	100°	19th	50°	10th & 11th	44	11th	·797	77	72	·003	·003	29th	1
February ..	83·6	98·2	73·8	103°	10th	68°	23rd	32	9th	·761	70	72·6	0·19	0·17	7th	2
March ..	85	100·09	74·8	105°	23rd	67°	6th	34	6th	·822	68	73·2	1·71	0·61	18th	6
April ..	83·1	95·1	73·8	100°	4th	61°	24th	31	24th	·904	78	75·6	2·1	0·56	21st	12
May ..	80·9	89·1	73·3	94°	7th	66°	5th	24	5th	·909	86	76·4	8·01	3·01	5th	17
June.. ..	78·3	86·4	71·9	90°	3rd & 5th	69°	5th & 30th	21	5th	·801	67	72·5	6·43	1·43	29th	13
July.. ..	75·8	83·2	71·7	87°	20th	70°	9th & 26th	15	10th & 26th	·774	87	71·5	6·93	1·66	22nd	15
August ..	75·3	83·6	70·9	88°	29th	68°	6th	18	18th	·743	84	70·3	1·02	·24	9th	10
September	75·7	84·7	71·4	91°	6th	69°	21st	17	6th & 27th	·757	85	71	6·59	2·6	16th	19
October ..	77·3	87·8	72·3	92°	6th	69°	23rd	20	6th	·778	82	71·7	4·31	1·04	25th	12
November..	80·5	92·2	73·0	96°	19th	67°	9th	26	9th	·807	78	72·7	1·97	1·63	25th	2
December..	80·5	93·8	73·2	97°	24th	62°	29th	31	29th	·816	79	73·2	1·63	·85	12th	5
Year ..	79·6	90·85	72·26	—	—	—	—	—	—	·805	78	72·7	40·89	—	—	114

RETURN No. 16.

List of NATIVE PLANTS identified during the Year 1906.

Western Province.

No.	Name of plant.	No.	Name of plant.
1.	*Mimusops Cacera.*	45.	*Glyphaea grewioides.*
2.	*Ficus asperifolia.*	46.	*Triaspis stipulata.*
3.	*Randia mallifera.*	47.	*Impatiens Irvingii.*
4.	*Pterocarpus esculentus.*	48.	*Zanthoxylon senegalensis.*
5.	*Mazrua aethiopica.*	49.	*Balsam odendron africana.*
6.	*Pterocarpus tinctorius.*	50.	*Khaya grandifolia.*
7.	*Engenia owariensis.*	51.	*Khaya Punchii.*
8.	*Strophantus gratus.*	52.	*Khaya senegalensis.*
9.	*Macrosphyra longistyla.*	53.	*Carapa guinensis.*
10.	*Oxyanthus tubiflorus.*	54.	*Brachystegia spicaeformis.*
11.	*Cremaspora africana.*	55.	*Detarium senegalensis.*
12.	*Ekebergia Rupelliana.*	56.	*Erythrophloeum guinense.*
13.	*Albizzia rhombifolia.*	57.	*Parkia filicoidea.*
14.	*A. Brownei.*	58.	*Pentaclethra macrophylla.*
15.	*A. fastigiata.*	59.	*Entada Sudanica.*
16.	*Bauhinia reticulata.*	60.	*E. scandens.*
17.	*Mitragyne macrophylla.*	61.	*Tetrapleura Thonningii.*
18.	*Cynometra Mannii.*	62.	*Mimosa asperate.*
19.	*Acacia sieberiana.*	63.	*Leucaena glauca.*
20.	*A. catechu.*	64.	*Anogeissus leiocarpus.*
21.	*A. pennata.*	65.	*Combretum Racemosum.*
22.	*A. ataxacantha.*	66.	*Quisqualis indica.*
23.	*A. arabica.*	67.	*Napoleona imperialis.*
24.	*Parinarium curatellaefolium.*	68.	*Polyadoa umbellata.*
25.	*Parinarium mobola.*	69.	*Smeathmannia pubescens.*
26.	*Crossopteryx Kotschyana.*	70.	*Zizyphus mucronata.*
27.	*Rhizophora racemosum.*	71.	*Cardiospermum halicacabum.*
28.	*Avicenni africana.*	72.	*Paulinnia pinata.*
29.	*Caesalpinnia bonducella.*	73.	*Blighia sapida.*
30.	*Berlinia acuminata.*	74.	*Deinbollia insignis.*
31.	*Landolphia scandens.*	75.	*Spondias lutea.*
32.	*Carpodinus Barteri.*	76.	*Anona senegalensis.*
33.	*Omphalogonus calophyllum.*	77	*Uvaria picta.*
34.	*Erythrina senegalensis.*	78.	*Schreebera colungensis.*
35.	*Harongia Madagascariensis.*	79.	*Monodora myristica.*
36.	*Hibiscus vitifolius.*	80.	*Monodora tenuifolia.*
37.	*Hibiscus surrattensis.*	81.	*Argemone mexicana.*
38.	*Bombax buonopozense.*	82.	*Gynandropsis pentaphylla.*
39.	*Sterculia tomentosa.*	83.	*Oncoba glauca.*
40.	*Sterculia tragacantha.*	84.	*Oncoba spinosa.*
41.	*Sterculia Barteri.*	85.	*Carpolobia lutea.*
42.	*Sterculia cordifolia.*	86.	*Lophira alata.*
43.	*Cola cauliflora.*	87.	*Lophira procera.*
44.	*Cola Afzelii.*		

Kew Identification (and Native Names) of Specimens sent during the Year 1906.

Central Province.

No.	Benin name.	Ibo name.	Botanical name.	Where found.
1.	—	Otta.	*Raisea* or *Alafia* sp.	Ogoda, Feb., 1906.
2.	Ubake.	Utapaboku.	*Landolphia* sp.; near *L. owariensis. Beauv.*	Illa, Feb., 1906.
3.	Ibbu.	Obbo.	*Ficus* sp. possibly *Feriobotryoides. Kunth* and *Bouche*, a very imperfectly known species of which we have no authentic material.	
4.	Ubanikwi.	Ottogwi.	*Carpodinus hirsuta hua?*	
5.	Ubamiogon.	Ottafrifredi.	*Landolphia owariensis Beauv.*	Near Illushi.
6.	Do.	Do.	*Landolphia scandens Dedr.*	Ibuza, Jan., 1906.
7.	Do.	Do.	*Alafia Landolphia K. Schum.*	Illushi, Feb., 1906.
8.	Akhe.	Ottaekwari Ottarniaha.	*Carpodinus Barteri Stapf.*	Anwai river.
9.	–	Ottoafrifredi.	*Landolphia owariensis Beauv* or sp. n.?	Do.
10.	—	Ottapabeku.	*Landolphia scandens Dedr.*	Do.
11.	—	—	*Do. do. do.*	Do.
12.	—	Otopoi.	*Landolphia bracteat, Dew.*	Near Asaba, 1906.
13.	Allerle.	—	*Oncinotis gracilis, Stapf.?*	Ogodo, 1906.
14.	—	Otonta.	*Landolphia scandens, Didr.*	Oko, Jan., 1906.
15.	—	Uborohaha.	*Clitandra barteri, Stapf.?*	Asaba, Feb., 1906.
16.	—	Otopoi.	*Landolphia scandens, Didr.*	Do.
17.	Ogwangu.	Eggo.	*Khaya* n. sp. nr. *K. Punchii, Stapf.*	
18.	Do.	Do.	*Khaya Punchii, Stapf.*	
19.	Onumukyukyu.	Ugbi.	*Santereopsis.*	
20.	Obschi.	—	*Triplochiton* n. sp.	
21.	Ohka.	Akbo.	*Eriodendron anfractuosum, D.C.*	
22.	Inyi.	Inyi.	*Erythrophloeum* sp.	
23.	Ozia.	Ozala.	*Daniella thurifera, Oliv.*	
24.	Ositoi.	Abossi.	*Millettia* sp.	
25.	Ibegogo.	—	*Carapa* sp. n.	
26.	Osu.	—	*Polyadoa Umbellata stapf.*	
27.	Ukpi Nufwa.	Okwikwiro.	*Blighia Sapida Koen.*	
28.	(Ikpa wudu Utantan).	Abontosa.	*Albizzia* sp. nr. *A. (Brownei Walp).*	
29.	—	Utolokpa.	*Leguminosa (indch).*	
30.	Igmiakia.	Osshosha.	*Tetrapleura Thonningii. Benth.*	
31.	Okpeiga.	—	*Leguminosa ol.*	
32.	Akata.	—	*Rauwolfia Vomitoria Afz.*	
33.	Alele.	—	*Notandra Guineensis D. C. Balpt.*	
34.	Aswan.	—	*Baphia* sp.	
35.	Ovala.	—	*Trichilia Heudlotii Planch.*	
36.	Popripo.	—	*Sterculia Tragacantha Himdl.*	
37.	Owewe.	—	*Passifloracea* nr. *Soyauxia.*	
38.	Ebuhawa.	—	*Mallotus Oppositifolius Nullarg cf.*	
39.	Uwenuwen.	—	*Lepidobasus Baxiflorus Benth. cf.*	
40.	Ihege.	—	*Nyrianthus arboreus Beauv.*	
41.	Onumu.	—	*Pachylobus Edulisci Don.*	
42.	Orosorsor.	—	*Croton* sp.	
43.	Orkwe.	—	*Manniophyty cf.*	
44.	Olwa.	—	*Baphia* sp.	
45.	Ukposa.	—	*Monodora* sp.	
46.	Uweheyota.	—	*Glyphaea Grewioedes Hook fil.*	
47.	Oriri.	—	*Vitex Grandifolia Guke.*	
48.	Ukpa.	—	*Homalium* sp.	
49.	Ora.	—	*Alafia Barteri ol.*	

Kew Identification (and Native Names) of Specimens sent during the Year 1906—continued.

No.	Benin name.	Ibo name.	Botanical name.	Where found.
50.	Ameme.	—	*Leguminosa.*	
51.	Ubaka.	—	*Clitandra Vixiflua Hallfil.*	
52.	Ebegogogbo.	—	*Dunbollia Pinnata Sch* and *Thom.*	
53.	Ikere-Oha.	—	*Husteria Parvifolia* sp.	
54.	Owewe.	—	*Combretacea.*	
55.	Eve.	—	*Cola* sp.	
56.	—	—	*Pleieceras Barteri Baill.*	
28.	again? Utantan.	—	*Lecaniodiscus Bannioides planch.*	
29.	„ Ogaba.	—	*Macrolobium Palisoti Benth.*	
30.	„ Iyokojo.	—	*Alsodeia* sp. nr. *A. Brachypetala Turcy.*	

RETURN No. 17.

WESTERN PROVINCE.

The thanks of the Department are due to the various Departments, publishers, &c., who have contributed the following periodical reports, &c., during the year to the library of the Department:—

The Agricultural Bulletin, Straits Settlements.

The Tropical Life, London.

The Agricultural News, Barbados.

The Agricultural Bulletin, Jamaica.

The Tropical Agriculturist, Ceylon.

The Agricultural Ledger, Calcutta.

Journal of Institute of Commercial Research, Liverpool.

Proceedings of Agricultural and Horticultural Society, Madras.

Miscellaneous Pamphlets, India.

Ditto, Jamaica.

Experimental Plots, St. Lucia.

Agricultural Education, St. Kitts-Nevis.

Ditto, Antigua.

Cultivation and Curing of Cocoa, India.

Planting and Manufacturing Tobacco, India.

Experimental Tapping of Para Rubber, Singapore.

RETURN No. 17—*continued.*

Western Province—continued.

Vegetable Growing, Porto Rico.

List of Seeds for Exchange, Dublin.

Report on Cocoa and Kola Industries, Gold Coast.

Annual Reports of Botanic Gardens, &c.:—

India.
Singapore and Penang.
Hong Kong.
Montserrat.
Uganda.
St. Lucia.
Antigua.
Tortola (Virgin Islands)
Grenada.
St. Vincent.
Gold Coast.
Dominica.
St. Kitts-Nevis.

RETURN No. 18.

List of PLANTS purchased for BOTANIC GARDENS, 1906.

Western Province.

From where received.	Name.	Seeds.	Plants.
Christy & Co.	*Boehmeria nivea* (Ramie).	3 lbs.	
Gold Coast...	*Cola Vera* (Gbanja kola).	15,000.	
Straits Settlements ...	*Hevea Braziliensis* (Para).	33.000.	
Agege	*Theobroma Cacao* (Cocoa).	200 pods.	
Canary Islands	*Musa Cavendishii.*	—	50
Botanic Gardens, Singapore.	*Nipa fruticans* (Nipa).	1 case.	
Director of Agriculture (India).	*Corchorus capsularis* (Jute).	621 lbs.	
Botanic Gardens (Calcutta).	*Swietenia macrophylla.*	½ lb.	
	Dendrocalamus strictus.	½ lb.	
	Phœnix humilis.	½ lb.	
Royal Botanic Gardens (Kew).	*Thomatis carnavonica* (Wool cotton).	1 packet.	
Botanic Gardens (Gold Coast).	*Citrullus Vulgaris.*	21.	

COLONIAL REPORTS.

The following recent reports relating to His Majesty's Colonial Possessions have been issued, and may be obtained from the sources indicated on the title page :—

ANNUAL.

No.	Colony.	Year.
524	Jamaica	1905–1906
525	Uganda	„
526	St. Helena	1906
527	Ceylon	„
528	Bermuda	„
529	Gibraltar	„
530	Northern Territories of the Gold Coast	„
531	Sierra Leone	„
532	Colonial Survey Committee	1906–1907
533	Weihaiwei	1906
534	Gold Coast	„
535	Malta	1906–1907
536	Gambia	1906
537	British Central Africa Protectorate	1906–1907
538	Bechuanaland Protectorate	„
539	Leeward Islands	„
540	Straits Settlements	1906
541	Turks and Caicos Islands	„
542	Somaliland Protectorate	1906–1907
543	Bahamas	„
544	Barbados	„
545	Trinidad and Tobago	„
546	Grenada	„
547	Mauritius	1906
548	Fiji	„
549	Jamaica	1906–1907
550	British Guiana	„
551	Northern Nigeria	„
552	British Honduras	1906
553	St. Lucia	1906–1907
554	Southern Nigeria	1906
555	St. Vincent	1906–1907
556	Basutoland	„

MISCELLANEOUS.

No.	Colony, &c.	Subject.
42	Ceylon...	Mineral Survey, 1905–6.
43	Caicos Islands	Fibre.
44	East Africa Protectorate	Survey Department.
45	Do. do.	Geology.
46	Northern Nigeria	Mineral Survey, 1904–5.
47	Do. do.	Do. 1905–6.
48	Nyasaland Protectorate	Do.
49	East Africa Protectorate	Veterinary Department.
50	British Colonies	Cotton Cultivation.

LONDON:
PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE,
By DARLING & SON, Ltd., 34-40, Bacon Street, E.

1908.

COLONIAL REPORTS—MISCELLANEOUS.

No. 48.

NYASALAND PROTECTORATE.

REPORT ON THE RESULTS OF THE MINERAL SURVEY, 1906–7.

BY

PROFESSOR WYNDHAM R. DUNSTAN, M.A., LL.D, F.R.S.,
DIRECTOR OF THE IMPERIAL INSTITUTE.

Presented to Parliament by Command of His Majesty.
February, 1908.

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1908.

[Cd. 3916.] *Price* 2½*d.*

No. 48.

NYASALAND PROTECTORATE.

MINERAL SURVEY, 1906–7.

PROFESSOR DUNSTAN TO COLONIAL OFFICE.

Imperial Institute Road,
London, S.W.,
7th January, 1907.

SIR,

I HAVE the honour to forward herewith my first Report on the Results of the Mineral Survey in the Nyasaland Protectorate, which relates to the year 1906-7. The Report consists of two parts, one relating to the field work carried out by the Surveyors in the Protectorate, and the other describing the results of the examination and analyses at the Imperial Institute of the minerals which have been collected during the course of the Survey.

It will be seen that among the more important minerals the occurrence of which has been located and the composition determined, are coal, graphite, limestone, ores of iron and tin, and corundum.

No deposits sufficiently rich or extensive as to be of industrial importance have been noted so far, except in the case of iron ore, and at the present juncture the export of iron ore does not appear to be feasible. At the same time the circumstance that extensive deposits of iron ore of good quality occur in the Protectorate may be of considerable importance in the future.

The demonstration of the occurrence of the other minerals named is of considerable interest. Their commercial significance must depend upon the location in the future of large deposits of good quality.

Of the less valuable minerals described, the limestone will no doubt be of increasing local value, whilst it is possible that the corundum may prove on further examination to be worth export.

The results of the first year's work are completely satisfactory as a record of the first exploration of a new country, and of

the composition and value of the minerals which this exploration has brought to light. These results, whilst of interest in themselves, afford promise that in the future discoveries of commercial importance may be made.

The work at the Imperial Institute and in the Protectorate has been carried on without intermission during the year, and the zeal and assiduity of the Surveyors have left nothing to be desired.

The ready assistance rendered to the operations of the Survey by the Governor, Sir Alfred Sharpe, and his coadjutors has been the means of greatly facilitating the work which forms the subject of the present report.

I have the honour to be,

Sir,

Your obedient Servant,

WYNDHAM R. DUNSTAN.

The Under Secretary of State,
Colonial Office,
London, S.W.

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NYASALAND PROTECTORATE.

REPORT ON THE RESULTS OF THE MINERAL SURVEY IN 1906–1907.

(No. I. of Series, Mineral Survey, Nyasaland.)

BY

PROFESSOR WYNDHAM R. DUNSTAN, M.A., F.R.S., Director.

The present report deals with the more important minerals collected during the first year (1906-7) of the Mineral Survey of Nyasaland, which is being carried on under the supervision of the Director of the Imperial Institute by two special Surveyors—Mr. A. R. Andrew, B.Sc. (New Zealand), and Mr. T. E. G. Bailey, B.A. (Cantab.).

These officers are charged with the work of exploring the mineral resources of the Protectorate and the collection of specimens of minerals likely to be of economic value. The minerals thus collected are forwarded to the Imperial Institute for chemical and mineralogical examination and determination of their probable value.

During the first year the Principal Mineral Surveyor forwarded to the Imperial Institute 12 interim reports recording the observations made by himself and Mr. Bailey.

A large amount of important survey work has been done, and although so far no mineral deposit of first-rate importance has been brought to light, some useful and promising mineral occurrences have been recorded.

SUMMARY OF REPORTS OF FIELD WORK.

The first of these reports is dated the 1st August, 1906, and describes the country traversed between Zomba and Chirobwe, viâ Mpimbi, Liwonde and Ncheu.

The only rocks seen during this journey were granites and the various metamorphic rocks (gneisses, &c.) which constitute the basement series of Africa. Among the metamorphic rocks there is a noteworthy band of crystalline limestone in the vicinity of Chenkumbi Hill; the outcrop shows a thickness of 1,500 feet and can be traced for a distance of 30 miles to the north-west, maintaining the same character throughout. Limestone was also observed near Mpimbi.

The stream deposits proved rich in iron ores in the neighbourhood of the Rivers Livelezi, Ndeka, and Rivi-Rivi. At Njobvualema Village, situated at the headwaters of the Rivi-Rivi River, a considerable deposit of iron ore was met with,

and iron ores were observed to be abundantly disseminated through the metamorphic rocks of this district.

In some places the rocks and gravels are rich in garnets, and some of the gneisses are extensively kaolinised. Graphite is not uncommon among the gneisses, and it also occurs in the crystalline limestone, but no good veins of it were met with. The gneisses contain numerous quartz veins, but no valuable minerals were observed in them.

The second report is dated the 15th August, 1906, and deals with the district between the headwaters of the Rivi-Rivi River and Lisungwe. The rocks are gneisses with numerous veins of pegmatite carrying tourmaline. These pegmatites appear to contain no valuable minerals.

At Njobvualema magnetite is abundant in the surface soil, and a trench was cut to ascertain the nature of the underlying rock. It proved to be gneiss, containing thin bands of iron ore. None of the bands observed had a thickness exceeding six inches.

Further south, on the southern side of the Dzonze ridge, extensive outcrops of iron ore were examined. One of these outcrops was 20 feet high, and was exposed along a distance of 150 feet. It was estimated that a quantity of about 53,000 tons of ore was in sight at this locality.

Search was made for good graphite exposures at Njobvualema, and several trenches were opened up for this purpose in the most promising localities. All the seams observed, however, were very thin, none of them exceeding one inch in thickness.

Gold was observed while washing the gravels of Kapena River, but only in traces, and its origin is doubtful.

From the head of the Lisungwe River, the Officers of the Survey travelled south, through the district lying west of the river, to Kalibwata (Neno) and Manguo Hill, and these journeys are described in Interim Reports, Nos. 3 and 4, dated the 1st and 12th September, 1906, respectively. Three outcrops of limestone were examined in this district. Two of these consist of crystalline limestone similar to that of Chenkumbi; one is seen on the road running along the west bank of the Lisungwe, and the other on the Neno Road further south. These two outcrops are probably portions of a continuous deposit, and it is suggested that they represent a south-westerly extension of the Chenkumbi limestone. The third outcrop occurs two miles north and half a mile west of the junction of the Lisungwe and Mwendangombe Rivers; this is a grey, non-crystalline limestone, probably of recent origin.

No extensive deposits of iron ore were observed, though fragments and grains occurred abundantly in the surface soil and in the concentrates prepared from the river gravels.

After leaving Kalibwata, the Principal Surveyor travelled to Port Herald, devoting special attention to the area west and south-west of Port Herald, between the latter and the Portuguese boundary. This journey is described in interim report No. 5, dated the 1st October, 1906. Most of the area traversed is occupied by the usual gneisses, which are veined with pegmatites carrying tourmaline, but, apparently, not containing any valuable minerals.

Two unimportant exposures of recent impure limestone were observed near the Shiré River; one in the vicinity of the rapids and another about two miles north of the Panga River.

Graphitic gneisses are frequent, but no graphite deposits of commercial value were observed. Many outcrops of limestone among the Port Herald hills were examined, and the most important of these are located as follows:—

(1.) Starting from Susagwenda Village on the Shiré Plain, and running back in a direction W. 20° N. to the high hills near Papaya's Village.

(2.) At Makoko Village, south of Susagwenda.

(3.) South of the Nachirenda Stream, N.N.W. of the Lulwe Mission.

(4.) About 200 yards N.N.E. of the Lulwe Mission Station on the large hill-spur.

(5.) On the Anglo-Portuguese boundary near Chitolama's Village.

(6.) At the headwaters of the Nachipere Stream close to Kajalantengo Hill.

(7.) On the Western flanks of Malawe Hill.

At all these localities the limestone is crystalline, and more or less impure owing to the presence of secondary silicates.

A group of sedimentary rocks occurs in the district at the head of the Nachipere River, but no coal was observed here, although it is being worked among similar rocks in the Portuguese territory a short distance further west.

Gold was found in small quantities in the sand of the lower reaches of the Nyankotola River.

The route traversed by the Assistant Surveyor (*loc. cit.*) was from the Upper Reaches of the Dwali River, along the road from Kalibwata, south-west, to Dzobwe Beacon, passing Myowe Hill and Mikorongo Village to where the road crosses the Mwanza River; thence south to Sumbu and along the Portuguese border. Barren metamorphic rocks persist over a large part of this area. In the Sumbu District there is a series of sandstones and shales, and the latter contain bands of impure coal. At Sumbu, shallow pits have been sunk by a party prospecting for coal and oil. During these operations it was observed that the shale in some places develops the character

of an impure coal, and a few thin seams of bright coal were found.

The Principal Surveyor's sixth report, dated the 15th October, 1906, deals with observations made in the lower Shiré from a point about six miles south of Port Herald to one about 20 miles north of that town. The area traversed is occupied by the usual metamorphic rocks. Quartz veins are common, but they contain no valuable minerals.

Crystalline limestones were observed at the following localities:—

(1.) Immediately south of Mkoka Village on the plains six miles south of Port Herald.

(2.) On the main track from Mr. Sindrum's depôt to Mkucha's Village, halfway up the track.

(3.) On the spur of the hill immediately south of Mkucha's Village.

(4.) At various minor outcrops in the neighbourhood of Mkucha's Village.

The concentrates obtained from the Panga and Nankande Rivers were rich in titaniferous iron ore and thin beds of iron ore were observed in the rocks occupying the bed of the Nankande River.

A trace of gold was found in a concentrate from the Nyankotola River.

The route traversed by the Assistant Surveyor, and described in the same report, was from Achori Village (Portuguese territory) through Sumbu, eastwards, to Chikwawa on the Shiré River, and back from Chikwawa to Kagoma on the Mwanza River; thence south to Nkombedzi.

Sandstones and shales occupy the Achori District, but they are extensively covered by alluvium. The shales are less carbonaceous than those further east at Sumbu, and they are not likely to contain good coal.

The country between Kagoma and Nkombedzi is also occupied by sandstone, which is similar to the main mass of the Sumbu sandstones. Shales occur to the west along the Portuguese border, but in these no coal beds were observed.

Interim report No. 7, dated the 1st November, 1906, deals with the district west and south-west of Chiromo, along the route from Mlaka Hill northwards to Pokonyowa and thence to Murukunyana Hill. Mlaka Hill consists of the usual gneisses, but north-west of this the area is mainly occupied by a vast series of sandstones, the upper and principal portions of which are extensively interbedded with contemporaneous lavas. These sandstones are practically free from shale beds, and no coal was obtained in them. The interbedded volcanic rocks are amygdaloidal, the amygdales consisting largely of agates. No minerals of economic importance were observed.

The route traversed by the Assistant Surveyor was from Nkombedzi Village southwards to Terere, then south-east to Nankalisa and eastwards to Chimpanbana. From the Nkombedzi, the Sumbu sandstone stretches northwards to Mikorongo. South of the Nkombedzi River the rocks are more varied. Limestones of poor quality are occasionally met with, but only in scattered fragments in the vicinity of Nkombedzi. Still further south, on the way to Terere, there is a band of nearly pure crystalline limestone about 20 yards in width, but apart from this nothing of economic importance was observed.

The eighth interim report, dated the 20th November, 1906, describes the journey made by the Surveyors from Magume camp (west of Chiromo) along the Ruo River to Mlanje, and thence through the Shiré Highlands to Blantyre and Zomba.

The usual gneisses and schists were encountered soon after leaving Chiromo, and these continued through the Highlands. No valuable minerals were observed among the pegmatite and quartz veins, which are of frequent occurrence among these metamorphic rocks. Basaltic dykes are frequent in the vicinity of Blantyre, and iron ores occur in the gneiss, but nowhere in great quantity.

Leaving Zomba, the Surveyors journeyed to Dowa in Central Angoniland, viâ Liwonde, Fort Johnson and Domira Bay, and this tour is described in interim reports Nos. 9 and 10, dated, respectively, the 31st December, 1906, and the 31st January, 1907. Gneisses with intrusive granites prevail throughout this area covered to some extent with alluvium. Several outcrops of crystalline limestone, apparently of considerable extent, occur in the hills on the west side of Fort Johnston.

At Lungudzi, near Dowa, a "galena lode" was investigated. The "lode" lies close to the Zanseu Stream. The country rock consists of gneiss with occasional intrusions of granite. The "lode" is parallel to the foliation planes of the gneiss, and consists largely of quartz veinstuff. The galena is not visible except at considerable depths, the only lead minerals visible at the surface consisting of weathered products.

Interim reports Nos. 11 and 12, dated the 28th February and the 31st March, 1907, respectively, deal with occasional visits into the country round Dowa, during the period of the rains. For a distance of some sixty miles west of the camp the country is flat and almost destitute of rock exposures. A visit was made to Ngara Hill, about 40 miles north-west of the camp, but only the usual gneisses were observed, and these were practically devoid of minerals of economic value.

Results of the Mineralogical and Chemical Examination of the Minerals.

In all, 189 minerals have been received for examination. A considerable proportion of these are not of direct economic

interest, but are important as affording information regarding the geological structure of the country, which may be of importance later on, as affording data and evidence from which useful deductions concerning the mineral resources of the Protectorate can be drawn.

The minerals of direct economic interest included in the samples submitted for investigation may be grouped as follows:—

1. Limestones.
2. Iron ores.
3. Graphites.
4. Coals.
5. Galena.
6. Concentrates.
7. Corundum.

Limestones.—A large number of deposits of limestone have been located by the Officers of the Survey, and many of these are suitable for making lime which could be used for the manufacture of mortar for plastering or ordinary building purposes. Specimen B.C. 06-15 is of special interest, since, on ignition, it yields a hydraulic lime which could be employed as cement. Unfortunately, the amount of the material available in the locality, according to Interim Report No. 1, appears to be small.

Iron ores.—The iron ores found are principally mixtures of haematite and magnetite. Promising deposits outcrop on the Mvai and Dzonze ridges, and a sample No. B.C. 06-44, taken from Mangui Hill, proved to be a rich haematite ore, which, unfortunately, contained a rather high proportion of phosphorus. There is stated to be 53,000 tons of this ore in sight. The best iron ore received was a sample of magnetite from the Pokonyowa Valley, No. B.C. 06-153. This contains an equivalent of 71 per cent. of iron and is free from phosphorus and sulphur. A concretionary iron ore, No. B.C. 06-102, from the Sumbu District, proves to be of medium quality, and the extent of the deposit of this is considered important by the Assistant Surveyor. Most of the other iron ores received are titaniferous and, therefore, of little value.

The question of the utilisation on a large scale of iron ores in Nyasaland is scarcely ripe for discussion. They could, of course, be smelted on a small scale by native methods. Some of the ores represented by these samples would be suitable for export to European smelting centres, but, unfortunately, the cost of transport to the coast precludes any chance of this being done under present conditions. The organisation of a local smelting industry in ordinary blast furnaces might be possible if suitable coal were available in the neighbourhood. It is possible that iron might be smelted by an electro-thermic process, if water power for the production of electric current is obtainable, but it is scarcely worth while to consider this unless

the work can be done on a large scale and a large market for the product is available in the Protectorate itself or neighbouring countries. Although the discovery of these various deposits of iron ore is not of immediate economic importance, it is well to have the facts on record and analyses of the ores made in view of possible developments in the future.

Graphite.—Three samples of graphite have been examined, all from the Njobvualema camp. These were promising specimens, B.C. 06-17, consisting of fine quality flake graphite contaminated with dirt. The Principal Surveyor's investigations (described in Interim Reports Nos. 1 and 2) seem to indicate that the graphite seams are thin and the deposit generally unpromising, but in view of the high quality of the material (*i.e.*, when freed from the associated dirt), it seems desirable that this locality should be fully examined with a view to ascertaining if more extensive deposits exist.

Coals.—Two samples of coal from the Sumbu District, taken from pits sunk by a private prospector have been examined. The first, B.C. 06-99, was taken from a seam which is never more than 1·5 inches thick, and occurs bedded in hard shales. This was anthracitic in character and of poor quality, yielding 41·5 per cent. of ash.

The second sample was from shales, lying at a depth of from 20 to 40 feet, in which thin seams of coal occur. This was a bituminous coal of poor quality, but the prospecting should be continued as thicker seams may be met with at lower levels.

Galena.—The galena deposit at Dowa was thoroughly examined by the Surveyors, and a number of samples were taken at different points. All of these were very poor in lead and silver, and indicate that the deposit contains no ore of economic value at the points examined.

Concentrates.—A large number of these were prepared from river sands. A few of them contained traces of monazite and tinstone, but in no case was any indication obtained of sands worth working for these minerals. The occurrence of tin and monazite is important, and will be kept in view in connection with future work.

Corundum.—Three specimens of this material from near Mjala Village were received for examination. It is possible that this material may prove to be of economic value, and a further sample of 28 lb. should be sent so that it can be submitted to technical trials.

Mica and kaolin have been found, and may be of commercial value if found of better quality in large deposits.

The following is a detailed account of the results of the examination of the minerals at the Imperial Institute:—

Specimens accompanying Interim Report No. 1.

"No. B.C. 06-1. Impure limestone near contact with gneiss, Chenkumbi Hill, Liwonde."

Two specimens of metamorphosed limestone, containing pyroxene. One of them is coarse in texture and contains comparatively little pyroxene, while the other is dark coloured and rich in this mineral. This material would be of little value as a source of lime.

"No. B.C. 06-2. Three specimens of crystalline limestone, Chenkumbi Hill, Liwonde."

These are specimens of crystalline limestone with yellow and brownish patches of serpentine. This material is less impure than No. B.C. 06-1.

"No. B.C. 06-3. Mica from the crystalline limestone, Chenkumbi Hill, Liwonde."

A small specimen of phlogopite mica. This variety of mica is of commercial value when it can be obtained in sufficiently large flat plates, but the present sample consists of mica too small to be of value.

"No. B.C. 06-4. Limestone containing graphite, Chenkumbi Hill, Liwonde."

Two specimens of coarsely crystalline limestone containing secondary silicates and traces of graphite in small flakes.

"No. B.C. 06-5. Hardened mudstone, Chenkumbi Hill, Liwonde."

A specimen of compact basalt with thin veins of calcite. A sample gave the following results on analysis:—

	Per cent.
Silica (SiO_2)	43·83
Titanium dioxide (TiO_2)	3·35
Alumina (Al_2O_3)	15·91
Ferric oxide (Fe_2O_3)	5·62
Ferrous oxide (FeO)	5·40
Manganous oxide (MnO)	0·51
Lime (CaO)	6·65
Magnesia (MgO)	6·66
Potash (K_2O)	1·89
Soda (Na_2O)	3·76
Loss on ignition	5·67

This has the normal composition of basalt. The rather high loss on ignition is due to the conversion of the calcium carbonate into lime. This material is of no economic value.

"No. B.C. 06-6. Crystalline limestone, Limbembe Camp, Mpimbi."

A specimen of coarsely crystalline limestone containing lumps of silicate impurity (felspar, &c.) which render it of little use as a source of lime.

"No. B.C. 06-7. Iron ore, Njobvualema Camp, Rivi-Rivi River."

These are irregular fragments of titaniferous iron oxide (ilmenite). Coarse lumps of hornblende, quartz, pyroxene, and also some rutile are present in the specimen.

A partial analysis of the sample was made and the following results obtained:—

	Per cent.
Ferric oxide (Fe_2O_3)	34·29
Ferrous oxide (FeO)	23·13
Titanium dioxide (TiO_2)	23·64
Silica (SiO_2)	6·70
Phosphorus (P)	0·18

The ore contains a considerable proportion of free ferric oxide besides rutile, ilmenite, and magnetite. Ores of this type appear to be widely distributed in Nyasaland, and are often rich in iron, but owing to the presence of titanium they would be difficult to smelt, and are, therefore, of little commercial importance at present.

"No. B.C. 06-8. Pink granite, containing garnet, Kungus River, Chirobwe."

This is a specimen of garnetiferous biotite gneiss.

"No. B.C. 06-9. Pink granite, Kungus River, Chirobwe."

This is a haplitic granite of medium grain, consisting almost entirely of quartz and felspar.

"No. B.C. 06-10. Black basic secretion from granite, Kungus River, Chirobwe."

This is a specimen of biotite-hornblende schist.

"No. B.C. 06-11. Concentrate from 1 lb. material represented by specimen B.C. 06-10."

This concentrate consists chiefly of ilmenite and hornblende with small amounts of magnetite, felspar, and apatite. It contains nothing of commercial value.

"No. B.C. 06-12. Concentrate from 1 lb. of material represented by specimen B.C. 06-8."

This concentrate consists principally of garnet, with some magnetite, felspar, and quartz. It is of no commercial value.

"No. B.C. 06-13. Garnets, Ndeka River."

This consists of fragments of common garnet of no value.

"No. B.C. 06-14. Kaolin, headwaters of Rivi-Rivi River."

This sample is whitish in colour, but contains a large amount of gritty impurity, chiefly quartz, with some garnet and hornblende. There is a considerable amount of this material in the hills between the Ndeka and Mpira Rivers, and also among the headwaters of the Rivi-Rivi River, where the gneisses are extensively kaolinised. This material could not be used directly for pottery manufacture, owing to the gritty impurities it contains.

The sample on levigation yielded 50 per cent. of a fine soft kaolin slightly coloured with ferric oxide. The material exhibited fair plasticity, and a test piece made from it gave on firing a slightly coloured "biscuit."

This deposit of kaolin may be of some value locally for the manufacture of pottery, but it would be impossible to export prepared kaolin at a profit from Nyasaland under present conditions.

"No. B.C. 06-15. Calcareous nodules of B.C. 06-14."

These nodules consists of impure limestone containing sandy particles of felspar, garnet, and hornblende. A sample gave the following results on analysis:—

	Per cent.
Silica (SiO_2)	11·33
Alumina (Al_2O_3)	9·92
Ferric oxide (Fe_2O_3)	1·71
Lime (CaO)	39·27
Magnesia (MgO)	3·60
Loss on ignition	34·35

The sample was so small that complete tests of the value of the material for cement-making could not be made. A portion of the specimen was calcined and ground to a fine powder. On mixing this with water it slaked feebly and set quickly, like a hydraulic lime. As very little of this material appears to be available, it is probably of no economic importance.

In its general characters this material is similar to the limestone concretions which are known in India as "kankar," and are used as a source of cement.

"No. B.C. 06-16. Felspar, headwaters of Rivi-Rivi River."

This specimen consists chiefly of common felspar with a little quartz impurity. Felspar is an abundant mineral. It is mined and used to a small extent in the manufacture of porcelain For this purpose it must be free from impurities, and then is only worth from fourteen to fifteen shillings per ton at the quarry.

"No. B.C. 06-17. Graphite, Njobvualema Camp, Rivi-Rivi."

This is a sample of graphite containing a good deal of earthy matter. Some of the fragments separate into fairly large flakes of pure graphite, but much of the material is mixed with earthy matter, which renders it of little value. No good veins of graphite have so far been observed by the Surveyors, but the district is well worth careful examination in order to ascertain if such veins occur.

A sample gave the following results on analysis:—

	Per cent.
Volatile matter	2·45
Fixed carbon	70·60
Ash	26·95

The sample belongs to the class of graphite which commands a high price when found free from earthy impurity. A sample of the graphite was submitted for valuation to a firm of mineral brokers. They stated that in its present condition it would be of little value, but that if carefully cleaned from the associated earthy matter it would probably yield flake graphite worth about £40 per ton. A sample was also submitted to a firm of graphite crucible makers, and they stated that the material could probably be cleaned to yield graphite of good quality. A third sample was supplied to a firm of stove-polish makers, who stated that for their purposes crude graphite of similar quality would be worth £5 or £6 per ton.

In forwarding this sample, the Principal Surveyor states that this deposit is worth further investigation, and this is borne out by the results now recorded.

"No. B.C. 06-18. White vitreous quartz, Magongwali Village, Mbai Camp, between Ncheu and Liwonde."

This is a specimen of massive quartz, of no commercial value.

"No. B.C. 06-19. Sample of rubbly vein, containing pyrites, Kungus River, Chirobwe."

This consists of crushed fragments of apparently fine-grained granite, and contains only a very small quantity of pyrite. Samples were assayed for gold and copper, but neither metal was found.

Concentrates.

		Weight of Concentrate. Grams.
No. B.C. 06-20.	Limbembe Camp, Mpimbi, from 9 lb. of gravel...	52
No. B.C. 06-21.	Limbembe Camp, Kutchi River, from 10 lb. of gravel	132
No. B.C. 06-22.	Chindusi Hill, Mpimbi, from 9 lb. of gravel	1¾
No. B.C. 06-23.	Chindusi Hill, Mpimbi, from 9 lb. of gravel	13
No. B.C. 06-24.	Chenkumbi Hill, Liwonde, from 12 lb. of gravel	43
No. B.C. 06-25.	Chendawasiko Village, Liwonde, from 18 lb. of gravel	62
No. B.C. 06-26.	Ndeka River, Ncheu, from 6 lb. of gravel	351
No. B.C. 06-27.	Chegoti River, tributary of the Livelezi River, from 8 lb of gravel	262
No. B.C. 06-28.	Kungus River, tributary of the Livelezi River, from 7 lb. of gravel	87
No. B.C. 06-29.	Ndeka River, Ncheu, from 5 lb. of gravel	141

These ten concentrates are similar to each other in composition and consist of ilmenite and magnetite with small amounts of hornblende, pyroxene, zircon, felspar, garnet, spinel, rutile, quartz, and apatite, with (in a few cases) traces of monazite and tinstone. None of the specimens contains sufficient monazite or tinstone to be of commercial value; thus, B.C. 06-26 contains only 0·1 per cent. of tinstone and 0·4 per cent. of monazite, and in B.C. 06-28 tinstone is present to the extent of 0·07 per cent., and monazite to about the same amount.

Specimens accompanying Interim Report No. 2.

"No. B.C. 06-30. Hornblende gneiss, Njobvualema Camp."

This is a specimen of amphibolite.

"No. B.C. 06-31. Massive hornblende, Njobvualema Camp."

This is a specimen of fibrous hornblende, containing crystals of apatite.

"No. B.C. 06-32. Garnet crystals in 06-30, Njobvualema Camp."

This is a specimen of garnetiferous mica-schist.

"No. B.C. 06-33. Topaz, muscovite, &c., in a pegmatite, Njobvualema Camp."

This is a specimen of pegmatite consisting chiefly of quartz and muscovite with a little felspar. A little garnet is present, but no topaz.

"No. B.C. 06-34. Pegmatite with tourmaline, Njobvualema Camp."

This is a mixture of tourmaline and quartz.

"No. B.C. 06-35. Green hornblendic gneiss with garnets, north-west of Dzonze Mountain."

"No. B.C. 06-36. Weathered garnet rock, south of Dzonze Mountain."

These are specimens of garnet amphibolite.

"No. B.C. 06-37. Tourmaline rocks, north-west of Dzonze Mountain."

Two specimens of a mixture of tourmaline and quartz.

"No. B.C. 06-38. For investigation, south-west of Dzonze Mountain."

This is a specimen of epidote rock.

"No. B.C. 06-39. For investigation, Kapena River."

This is a specimen consisting of a mixture of ilmenite and quartz.

"No. B.C. 06-40. For investigation, Dzonze Camp."

This is a specimen of fibrous amphibole.

"No. B.C. 06-41. For investigation, south-east of Dzonze Camp."

This is a specimen of amphibolite.

"No. B.C. 06-42. For investigation, south-east of Dzonze Camp."

This is a specimen of coarse peridotite (olivine rock).

The samples B.C. 06-30 to B.C. 06-42 include nothing of economic value.

"No. B.C. 06-43. Iron ore from solid seam, Njobvualema Camp."

This consists chiefly of ilmenite with some garnet and quartz, and is of no value as an iron ore.

"No. B.C. 06-44. Iron ore, Mangui Hill."

This specimen is a compact iron ore containing both magnetite and haematite with a little ilmenite.

A sample of the haematite gave the following results on analysis:—

	Per cent.	
Ferric oxide (Fe_2O_3) ...	98·88	Equivalent to metallic iron 69·3 per cent.
Ferrous oxide (FeO) ...	0·12	
Manganous oxide (MnO)	trace	
Silica (SiO_2)	0·69	
Sulphur (S)	Nil.	
Phosphoric oxide (P_2O_5)	0·35	
Titanic oxide (TiO_2) ...	trace	

This is a rich iron ore, but it unfortunately contains a rather high percentage of phosphoric oxide. A sample of the magnetite was separately examined and found to contain the equivalent of 68·85 per cent. of metallic iron, 0·21 per cent. of silica, and 0·5 per cent. of titanic oxide, so that the ore appears to be uniformly rich in iron.

Specimens of iron ore from Nyasaland previously examined at the Imperial Institute have contained nearly 70 per cent. of iron, and only 0·023 and 0·010 per cent. of phosphorus, so that these haematite-magnetite beds appear to vary in their phosphorus content.

As the beds of this material appear to be extensive, they will probably form a valuable source of iron for the Protectorate.

"No. B.C. 06-45. Altered dolerite, Mangui Hill."

This specimen consists almost entirely of augite.

"No. B.C. 06-46. Weathered green cyanite, north-west of Dzonze Mountain."

This is a specimen of massive serpentine of a yellowish-green colour, containing small spherical concretions of an impure yellowish brucite (hydrated magnesium oxide). A sample on analysis gave the following results:—

	Per cent.
Silica (SiO_2)	34·96
Alumina (Al_2O_3)	0·58
Chromic oxide (Cr_2O_3)	trace
Ferric oxide (Fe_2O_3)	6·72
Ferrous oxide (FeO)	1·02
Nickel oxide (NiO)	trace
Lime (CaO)	Nil.
Magnesia (MgO)	40·08
Loss on ignition	16·40

The results of the analysis show that the mineral is more basic than typical serpentine, and this is accounted for by the presence of brucite. This material is of no economic value.

"No. B.C. 06-47. Large graphite from surface, Njobvualema Camp."

This specimen is a mass of graphite of very variable quality. It appears to be a surface specimen, and is partly dirty and much stained with ferruginous oxidation products. Some of the pieces break into flakes of good quality. A sample on analysis gave the following results:—

	Per cent.
Moisture ... } Volatile matter }	2·39
Fixed carbon	81·44
Ash	16·17

The remarks made regarding sample B.C. 06-17 apply also to this sample, but the cleaned graphite from this product would be of poorer quality than that from B.C. 06-17. The district is worth further investigation for more promising deposits of graphite.

"No. B.C. 06-48. Graphite from the seam, Njobvualema Camp."

This specimen consists of small fragments of a somewhat granular graphite. It is purer than the previous sample, but it is wanting in the necessary phyical properties characteristic of flake graphite, and can only be regarded as a second grade sample.

A portion on analysis gave the following results:—

	Per cent.
Moisture ... } Volatile matter }	1·84
Fixed carbon	91·58
Ash	6·58

Like sample B.C. 06-17, this is of little value in the crude state, but it would yield a saleable graphite on cleaning.

"No. B.C. 06-49. Graphite gneiss, Njobvualema Camp."

This is a specimen of gneiss, containing small flakes of graphite, of no commercial value.

"No. B.C. 06-50. Kyanite, north-west of Dzonze Mountain."

This is a specimen of pale coloured kyanite, in radiating, fibrous masses, and mixed with a large amount of granular quartz.

"No. B.C. 06-51. Slide containing gold, Kapena River."

Only one grain of gold was visible in this slide; other minerals present are garnet, quartz, and some ilmenite. This is described by the Principal Surveyor of the Mineral Survey as being a "freak occurrence." Systematic washings were made in other parts of the river and also in its tributaries, but no gold was observed elsewhere.

	Concentrates.	*Weight in grams.*
No. B.C. 06-52.	Kapena River	82
No. B.C. 06-53.	South-west of Dzonze Camp ...	197
No. B.C. 06-54.	West of Mangui Hill	277

These concentrates are black sands consisting chiefly of ilmenite with some magnetite, and small quantities of garnet, hornblende, epidote, rutile, zircon, pyroxene, and tourmaline. In each of them there is over 80 per cent. of ilmenite, but no monazite, tinstone, gold, or other minerals of value are present.

A chemical examination of No. 52 confirmed the absence of valuable minerals.

Specimens accompanying Interim Reports Nos. 3 and 4.

"No. B.C. 06-55. Recent limestone, Lisungwe River."

This is a compact limestone of a dull grey colour, practically free from sandy and earthy impurities.

A sample gave the following results on analysis:—

	Per cent.
Lime (CaO)	53·27
Magnesia (MgO)	0·98
Ferric oxide (Fe_2O_3) ... ... } Alumina (Al_2O_3) ... ... }	0·72
Loss on ignition	43·80

These results show that this is a good limestone, and, on burning, it gives a "fat" lime suitable for making mortar for ordinary building purposes or for plastering.

"No. B.C. 06-56. Yellow mineral concentrate from the north branch of Lisungwe River." Weight about 68 grams.

"No. B.C. 06-57. Yellow mineral concentrate from the south branch of Lisungwe River." Weight about 100 grams.

These two concentrates consist chiefly of ilmenite, epidote, and quartz, with small quantities of magnetite, garnet, hornblende, tourmaline, zircon, rutile, and sillimanite, together with traces of tinstone and monazite.

Partial analyses were made of these samples, and the following results were obtained:—

	B.C. 06–56.	B.C. 06–57.
	Per cent.	Per cent.
Gold...	Nil	Nil
Staunic oxide (SnO_2)	0·04	0·05
Ceria and associated oxides (Ce_2O_3, &c.) ...	0·03	Nil

These results show that the gravel of the Lisungwe River contains traces of tinstone and monazite, but is of no economic importance as a source of these minerals.

"No. B.C. 06-58. Yellow mineral (*in situ*) in the gneiss of Mbia Hill."

The yellow mineral of this sample is epidote, quartz, hornblende, and a little zircon are also present.

"No. B.C. 06-59. Concentrate from Msanje River, a tributary of the Wankulumadzi River." Weight about 145 grams.

"No. B.C. 06-60. Concentrate from Msanje River, a tributary of the Wankulumadzi River." Weight about 203 grams.

"No. B.C. 06-61. Concentrate, Wankulumadzi River, near French Mission, Neno."

These three concentrates consist chiefly of magnetite, ilmenite, garnet, hornblende, zircon, and epidote, with small quantities of rutile, tourmaline, and quartz. No tinstone, monazite, or gold is present.

Specimens accompanying Interim Report No. 5.

"No. B.C. 06-62. Yellow mineral (*in situ*) six miles north of Wankulumadzi River, on the Neno-Chikwawa Road."

This consists chiefly of epidote, with a little hornblende and quartz.

"No. B.C. 06-63. Granite bosses and sills, up Chikwawa Rapids, on the Neno-Chikwawa Road."

This is a specimen of garnet-amphibolite.

"No. B.C. 06-64. Syenite dyke, up Chikwawa Rapids on the Neno-Chikwawa Road."

This is a specimen of dolerite.

"No. B.C. 06-65. Siliceous limestone, Neno Chikwawa Road, Chikwawa, up rapids."

This is a specimen of gritty limestone. The gritty impurity is chiefly quartz, but felspar, hornblende, mica, and garnet are also present.

A sample gave the following results on analysis:

		Per cent.
Portion soluble in hydrochloric acid.	Ferric oxide (Fe_2O_3) ...	1·71
	Alumina (Al_2O_3) ...	4·75
	Lime (CaO)... ...	37·80
	Magnesia (MgO) ...	1·44
	Loss on ignition ...	32·03
Portion insoluble in hydrochloric acid.	Ferric oxide (Fe_2O_3)...	1·20
	Alumina (Al_2O_3) ...	3·25
	Lime (CaO)	2·67
	Magnesia (MgO) ...	0·29
	Silica (SiO_2)	13·31

A sample was burnt, and on adding water it slaked fairly readily, and set like an ordinary lime, showing practically no hydraulicity. The material after burning would be suitable for making mortar for ordinary building purposes, but it should be mixed with less sand than is used in the case of purer lime.

"No. B.C. 06-66. Siliceous limestone, Neno-Chikwawa Road, four miles south of rapids."

This is a specimen of porous silicified limestone. The siliceous impurity is chiefly due to secondary change by infiltration but partly also to the presence of detrital quartz.

A sample gave the following results on analysis:—

		Per cent.
Portion soluble in hydrochloric acid.	Ferric oxide (Fe_2O_3)...	0·86
	Alumina (Al_2O_3) ...	1·74
	Lime (CaO)	28·84
	Magnesia (MgO) ...	4·68
	Loss on ignition ...	30·06
Portion insoluble in hydrochloric acid.	Ferric oxide (Fe_2O_3)...	0·40
	Alumina (Al_2O_3) ...	1·80
	Lime (CaO)	0·93
	Magnesia (MgO) ...	trace
	Silica (SiO_2)	30·40

This material on burning yields a product which slaked readily, and when made into a paste with water, set fairly quickly. A test piece was placed in a moist atmosphere for three days and then in water for four days, after which it became moderately hard. The sample available was so small that the tensile strength of the test block could not be measured. Lime made from this limestone could be used for constructional purposes where somewhat greater strength is required than can be obtained with ordinary mortar, but the material could not be used in place of good cement.

"No. B.C. 06-67. Recent limestone, Chiromo-Port Herald Road, north of Nanga River."

This is a specimen of white limestone, containing a considerable amount of sandy, earthy, and organic matter. This material would probably be useful as a source of lime for ordinary building purposes. The sample was so small that a technical trial could not be made. The Principal Surveyor states that the limestone only occurs in small outcrops, so that it is probably of little importance.

"No. B.C. 06-68. Graphite gneiss, Port Herald."

This is a specimen of dark coloured gneiss, containing a few flakes of graphite.

"No. B.C. 06-69. Lower conglomerate, Nachipere River."

"No. B.C. 06-70. Black conglomerate, Nachipere River."

These two specimens consist almost entirely of felspar and biotite, and contain nothing of economic value. A chemical examination of No. B.C. 06-69 showed the absence of tin, gold, platinum, and rare earths.

"No. B.C. 06-71. Black carbonaceous shale, Nachipere River."

This specimen consists of a black pyritic shale with thin layers of coal. An average sample taken from both shale and coal gave the following results on analysis:—

	Per cent.
Moisture and volatile matter ...	10·90
Fixed carbon	8·80
Ash	80·30

This shows that the seam of shale contains not more than 12 per cent. of coal. Some of the coal was separated and examined. This gave the following results:—

	Per cent.
Moisture	2·58
Volatile matter	12·24
Fixed carbon	70·15
Ash	15·03

The coal is non-caking and very little combustible gas is contained in the volatile matter evolved on heating. It is a smokeless coal and would be valuable if thick seams could be found.

"No. B.C. 06-72. Black shale or mudstone, Chipoka River, near Tangasi River."

This includes two specimens of ordinary pyritic shale.

"No. B.C. 06-73. Upper ash, Nachipere River."

This is a specimen of altered gneiss.

"No. B.C. 06-74. Basalt, Port Herald."

This is a specimen of andesitic basalt.

"No. B.C. 06-75. Travertine-like recent deposit, Chikukula River."

This is a specimen of typical travertine; it appears to consist of practically pure limestone. A sample was analysed, and the following results obtained:—

	Per cent.
Lime (CaO)	53·07
Ferric oxide (Fe_2O_3) ... ... } Alumina (Al_2O_3) ... ... }	0·27
Magnesia (MgO)	0·71
Silica (SiO_2)	0·70
Loss on ignition	45·00

This limestone is suitable for the manufacture of "fat" lime to be used in preparing mortar for ordinary building purposes or plastering.

"No. B.C. 06-75. White crystalline limestone."

This is a specimen of fairly pure limestone; it would be useful as a source of lime for making ordinary mortar.

"No. B.C. 06-78. Yellow impurity (Idocrase ?) in limestone."

This is a specimen of serpentinous limestone; the yellow impurity is serpentine. Small glistening plates of mica are also present. This rock resembles some of the ornamental marbles of commerce, *e.g.*, the Connemara marble.

"No. B.C. 06-79. Green impurity (salite) in limestone."

This is a specimen of impure crystalline limestone similar to B.C. 06-1, and containing pyroxene.

"No. B.C. 06-80. Garnet impurity in limestone."

This is a sample of impure limestone containing siliceous material partially coated with iron oxide; no garnet is present.

"No. B.C. 06-81. Brown mica impurity in limestone."

This is a specimen of crystalline limestone with biotite and pyroxene impurity.

"No. B.C. 06-82. Peculiar weathering of limestone, Papaya's Village."

This is a porous limestone with some gritty and ferruginous impurity.

"No. B.C. 06-83. Cavernous quartz from the basalt near Msiranga's Village."

This is a specimen of porous milky quartz, of no economic value.

"No. B.C. 06-84. Concentrate containing gold, Nyankotola River." Weight about ½ gram.

This is a black sand containing over 40 per cent. of magnetite. The other minerals present are ilmenite, zircon, and

quartz, with some hornblende, epidote, and rutile, and a trace of monazite. No gold was observed in the sample.

"No. B.C. 06-85. Concentrate, Nyankotola River, near Chigoma's." Weight about 12½ grams.

This concentrate contains about 50 per cent. of brown zircon, mostly coarse. Of the remainder, about 25 per cent. is magnetite, and the rest is a mixture of ilmenite, garnet, rutile, hornblende, quartz, and a trace of monazite. The "peculiar tetragonal or orthorhombic mineral which may be Brookite," referred to by the Principal Surveyor as being present in this concentrate, is brown zircon.

"No. B.C. 06-86. Concentrate, Chikukala River." Weight about 58 grams.

About 85 per cent. of this concentrate consists of a mixture of magnetite, ilmenite, and garnet. The remainder is a mixture of rutile, zircon, hornblende, epidote, spinel, quartz, sillimanite, and monazite. Chemical examination showed that the last mineral is present to the extent of 1·5 per cent., which is too small to make the concentrate of commercial value. There is also a trace of tinstone in the concentrate, but no gold.

"No. B.C. 06-87 shows a curious intergrowth of quartz (?) and white mica."

"No. B.C. 06-88. Same as 06-87, but shows a finer intergrowth, giving the quartz a silvery appearance, and a good cleavage."

"No. B.C. 06-89. To be identified."

These are specimens of corundum. B.C. 06-87 is a typical crystal, somewhat broken, and enclosing some mica; but B.C. 06-88 and 06-89 are practically pure. All three specimens show pseudo-cleavage, a property which seriously diminishes the commercial value of the material. This occurrence should be investigated further, as material of better quality may occur. It is stated by the Assistant Surveyor to "occur in a broad vein striking in a north-west direction. The vein crosses the path a few hundred yards north of the village Mjala, about seven miles north of the junction of the Hoed Road with the Ngena."

A sample was analysed and found to have the following composition:—

	Per cent.
Alumina (Al_2O_3)	95·40
Ferrous oxide (FeO)	2·20
Silica (SiO_2)	0·36
Loss on ignition	2·19

Material somewhat similar to this, but free from partings is mined in Canada and sold at £20 per ton and upwards for use as an abrasive.

"No. B.C. 06-90. Typical samples of top of lava."

"No. B.C. 06-91. Variety of glauconite and pink agates."

"No. B.C. 06-92. Vesicles of red weathered top of lava filled by glauconite only."

These three specimens "from district 2, Myowe camp," consist of amygdaloidal basalt, the cavities of which have been filled with chalcedony, some of which is coloured green. The agates are of no commercial value. Specimen B.C. 06-91 was analysed for copper and nickel, and both metals proved to be absent.

"No. B.C. 06-93. Quartz breccia (?), obtained on the southern flank of Myowe Hill."

This is a small specimen of angular fragments of quartz in a ferruginous matrix.

"No. B.C. 06-94. Agates picked up in the neighbourhood of quartz vein cutting lavas."

These are small specimens of agate of poor quality, and of no commercial value.

"No. B.C. 06-95. Tourmaline-felspar rock, north of Myowe Hill."

This is a specimen of compact tourmaline granite.

"No. B.C. 06-96. Drusy cavity with dark mineral and quartz crystals in quartz rock, south-east flank of Myowe."

This is a small specimen, the "dark mineral" of which consists of impure hydrated iron ore. The material is of no commercial value.

"No. B.C. 06-97. Glauconite (?) rock, silicified, near Myowe."

This is probably a specimen of silicified lava, and is of no commercial value.

"No. B.C. 06-98. Carbonaceous shale from Mr. Walsch."

This is a specimen of compact black shale, with a specific gravity of 2·3. It contains very little carbonaceous material, and is of no value as a fuel.

"B.C. 06-99. Specimen from coaly layer in pit 1 (first pit on telegraph track) followed at box by 3 feet of mudstone."

The specimen has a bright, coaly lustre, with a hackly fracture. It is very hard, and generally resembles anthracite. A sample on analysis gave the following results:—

	Per cent.
Moisture	1·38
Volatile matter	9·92
Fixed carbon	47·17
Ash	41·53

The coal is non-caking and smokeless. The volatile matter contains very little combustible gas. The material contains too much ash to be useful as a fuel.

"No. B.C. 06-100. Carbonaceous shale with seams of coal."

This is a compact shale containing very thin partings of coal. The specimen has a specific gravity about 2·3, and is of no use as a fuel.

"No. B.C. 06-101. Specimen near bottom of pit 2. A hopeful specimen from Mr. Walsch, from the pit in which he hopes to find oil."

This is a specimen of a hard, compact coal, with a band of shale. A sample gave the following results on analysis:—

	Per cent.
Moisture	1·06
Volatile matter	31·70
Fixed carbon	20·41
Ash	46·83

The specimen is a bituminous non-caking coal yielding volatile matter containing a considerable amount of combustible gas, which burns with a slightly smoky flame.

This specimen as received showed about one inch of coal with half an inch of shale attached to one side. After removing the shale a sample of the clean coal was analysed, and the following results obtained:—

	Per cent.
Moisture ... } Volatile matter }	30·83
Fixed carbon	37·90
Ash	31·27

This cleaned coal is much better than the crude material, and even with so much ash would probably be a useful fuel in Nyasaland, if seams of workable thickness could be found.

"No. B.C. 06-102. Clay ironstone concretions."

The specimen is a soft iron ore of the limonite class. A sample gave the following results on analysis:—

	Per cent.	
Ferric oxide (Fe_2O_3) ...	75·23	Equivalent to metallic iron 52·66 per cent.
Ferrous oxide (FeO) ...	trace	
Manganous oxide (MnO)	Nil.	
Alumina (Al_2O_3) ..	2·12	
Titanium dioxide (TiO_2)	trace	
Phosphorus pentoxide (P_2O_5)	0·57	
Silica (SiO_2)	11·86	
Sulphur (S)	trace	
Loss on ignition ...	10·02	

This would be a valuable iron ore for the manufacture of pig iron for ordinary foundry purposes, but owing to the high

phosphorus content it would be unsuitable for the manufacture of steel except by the basic open hearth process.

"No. B.C. 06-103. Carbonaceous shale near contact with basalt sill."

"No. B.C. 06-104. Shale a few miles from the Portuguese border."

These two specimens consist of compact shale, containing very little carbonaceous matter. B.C. 06-103 has a specific gravity of 2·25 and B.C. 06-104 a specific gravity of 2·5. They are of no value as fuel.

"No. B.C. 06-105. Concentrate; tributary of Ngena, near Tambani beacon." Weight 42 grams.

"No. B.C. 06-106. Concentrate; Dwali River, near Msen." Weight 22 grams.

"No. B.C. 06-107. Concentrate; Mwanza River, near Myowe Hill."

These three concentrates consist principally of a mixture of ilmenite, magnetite, garnet, hornblende, zircon, and quartz. Some rutile and epidote are also present. The yellowish mineral is chiefly epidote, with traces of monazite. A few grains of colourless tinstone were observed in specimen B.C. 06-106.

These three concentrates were chemically examined, and the following results obtained:—

—	B.C. 06–105.	B.C. 06–106.	B.C. 06–107.
	Per cent.	Per cent.	Per cent.
Gold	Nil	Nil	Nil
Stannic oxide (SnO_2)	0·05	0·02	Nil
Cerium and associated oxides (Ce_2O_3, &c.)	0·01	0·15	0·32

These results indicate the occurrence of traces of tinstone and monazite in the gravel, but these are not of economic importance in such small quantities.

Specimens accompanying Interim Report No. 6.

"No. B.C. 06-108. Quartz dyke with tourmaline, Mpepe Hill."

This is a specimen of gabbro. No quartz is present, and the dark mineral is chiefly pyroxene.

"No. B.C. 06-109. Jasperoid quartz, Mwanambidzi Hill."

"No. B.C. 06-110. Jasperoid quartz, Mpepe Hill."

These are two specimens of impure brownish chalcedony.

"No. B.C. 06-111. Concentrate containing iron ore and garnet, Nankande River." Weight about 84 grams.

This concentrate contains about 90 per cent. of a mixture of ilmenite and garnet. The remainder consists of magnetite, zircon, and rutile, with a little hornblende, quartz, and monazite.

A chemical examination of a sample gave the following results:—

	Per cent.
Stannic oxide (SnO_2)	Nil
Cerium and associated oxides (Ce_2O_3, &c.)	0·32
Gold	Nil

The sample contains about 0·5 per cent. of monazite, which in so small a quantity is of no economic importance.

"No. B.C. 06-112. Iron ore from veinlets in the gneiss, Nankande River."

This is a specimen of ilmenite, with which is mixed a considerable quantity of rutile. A sample on analysis gave the following results:—

	Per cent.
Titanium dioxide (TiO_2)	75·04
Ferric oxide (Fe_2O_3)	11·86
Ferrous oxide (FeO)	11·56

The ore contains at least 50 per cent. of rutile, the rest being principally ilmenite with a little hydrated oxide of iron. It is of no value either as an iron ore or as a source of titanium.

"No. B.C. 06-113. Normal quartz-felspar gneiss, Nankande River."

A specimen of quartz-felspar rock with a pegmatitic structure.

"No. B.C. 06-114. Garnetiferous iron-bearing stringer in the gneiss, Nankande River."

This consists chiefly of a mixture of garnet and rutile with a little hornblende and ilmenite.

"No. B.C. 06-115. Bronzite (?) dyke, Nankande River."

This is a specimen consisting almost entirely of the mineral bronzite with small inclusions of rutile.

"No. B.C. 06-116. Gneiss containing iron ore, Nyamadzere River."

This is a specimen composed chiefly of granular felspar, with small grains of spinel and flakes of biotite mica.

"No. B.C. 06-117. Concentrate, Nyankotola River." Weight about 61 grams.

This concentrate consists chiefly of garnet with some magnetite, hornblende, ilmenite, zircon, rutile, quartz, and a little monazite.

A chemical examination of a sample gave the following results:—

	Per cent.
Stannic oxide (SnO_2)	Nil
Cerium and associated oxides (Ce_2O_3, &c.)	0·75
Gold	Nil

The specimen contains rather more than one per cent. of monazite, but this is not sufficient to make it of economic importance.

"No. B.C. 06-118. Concentrate, Nyankotola River." Weight about 25 grams.

This is practically similar in mineral composition to B.C. 06-117, but contains also a little epidote and biotite.

"No. B.C. 06-118. Concentrate, Nyankotola River." Wieght about 74 grams.

About 80 per cent. of this sample consists of garnet; the remainder is a mixture of magnetite, ilmenite, hornblende, zircon, rutile, quartz, felspar, and a small amount of monazite.

"No. B.C. 06-120. Quartz, Mwanambidzi Hill."

These are angular fragments of white quartzite, partly impregnated with calcite.

"No. B.C. 06-121. Gneiss containing a pink mineral, Nankande River."

This is a compact felspathic gneiss; the pink mineral is felspar.

"No. B.C. 06-122. Gneiss containing a green mineral, Nankande River."

This is a specimen of epidote gneiss; the green mineral is epidote.

"No. B.C. 06-123. Contorted green mineral, Nankande River."

This is a specimen of epidote-felspar-rock; the green mineral is epidote.

	Concentrates.	*Weight of Sample.* Grams.
No. B.C. 06-124.	Ngoma River	39
No. B.C. 06-125.	Nyamadzere River	28
No. B.C. 06-126.	Panga River	34
No. B.C. 06-127.	Nankande River	54
No. B.C. 06-128.	Nyamyale River	153

These concentrates resemble each other in mineral composition. They are all rich in garnet, and contain appreciable quantities of magnetite, ilmenite, hornblende, quartz, rutile, and zircon, with, in some cases, small amounts of biotite, felspar, and sillimanite. Monazite was observed in B.C. 06-124 and B.C. 06-125, but none was found in the others. Two of

these samples, viz., B.C. 06-124 and B.C. 06-128 were chemically examined, and the following results obtained:—

—	B.C. 06–124.	B.C. 06–128.
	Per cent.	Per cent.
Stannic oxide (SnO_2)	Nil	Nil
Cerium and associated oxides (Ce_2O_3, &c.) ...	1·01	Nil
Gold...	Nil	Nil

Specimen B.C. 06-124 contains about 1·5 per cent. of monazite. This is the largest amount found in any of the concentrates from Nyasaland examined so far, but this quantity is too small to make the concentrate of economic importance.

"No. B.C. 06-129. Altered (igneous ?) rock near quartz vein crossing the road from Kagoma to Chikwawa; to be identified."

This specimen consists of a mixture of limonite and calcite. A sample on analysis gave the following results:—

	Per cent.	
Ferric oxide (Fe_2O_3) ...	20·04	Equivalent to metallic iron 14·02 per cent.
Ferrous oxide (FeO) ...	trace	
Manganous oxide (MnO)	0·43	
Lime (CaO)	39·35	
Magnesia (MgO) ...	0·31	
Alumina (Al_2O_3) ...	0·30	
Titanium dioxide (TiO_2)	0·17	
Silica (SiO_2)	4·11	
Phosphoric oxide (P_2O_5)	0·74	
Sulphur (S)	Nil	
Loss on ignition ...	33·50	

This sample is of no value as an iron ore. It might be used as a flux in admixture with iron ores for the manufacture of phosphoric pig iron. There appears to be little of the material available, and the occurrence is probably of no economic importance.

"No. B.C. 06-130. Cellular quartz of quartz vein from same locality as B.C. 06-129."

This is a specimen of porous quartz, the pores of which are mostly filled with yellowish-brown limonitic calcite similar to that of the preceding specimen.

"No. B.C. 06-131. Specimen of a mineral, to be identified, found in quartz vein from same locality as B.C. 06-129."

This is a specimen consisting chiefly of massive garnet with a little epidote and hornblende.

"No. B.C. 06-132 } Found on the Portuguese border, prob-
"No. B.C. 06-133 } ably not far from Valeta Village."
"No. B.C. 06-134 }

These three specimens consist of carbonaceous shale, but contain very little carbonaceous matter. They have high specific gravities and are of no value as fuels.

Specimens accompanying Interim Report No. 7.

"No. B.C. 06-137. Agates found near Nkombedzi Village."

These are small fragments of chalcedony, slightly banded, with an inner lining of amethyst.

"No. B.C. 06-138. } Impure limestone, Nkombedzi District."
"No. B.C. 06-139. }

"No. B.C. 06-140. Oolitic limestone."
"No. B.C. 06-141. Impure crystalline limestone."

These limestones are of fair quality and contain only a slight amount of sandy impurity. The samples are too small to be submitted to technical trials. The Assistant Surveyor states that the exposures of this limestone "are very poor, and its outcrop can often only be traced by scattered fragments," so that the deposit is probably of little importance.

"No. B.C. 06-143. Typical 'Sumbu' sandstone."

A specimen of calcareous and felspathic sandstone. This material is friable and would be of little use for building purposes.

"No. B.C. 06-145. Crystalline limestone found between Nkombedzi and Terere."

A specimen of limestone with siliceous impurity. This limestone is described as occurring in a band about 20 yards in width. The specimen is too small to be submitted to technical trials.

"No. B.C. 06-146. Spherulitic igneous rock found as loose blocks near Terere."

This is a specimen of variolitic basalt.

"No. B.C. 06-147. Fragments of fossil tree trunk (or concretion?) found in Sumbu sandstone, more especially in the Terere District."

This is probably silicified wood.

"No. B.C. 06-150. Sandstone, Pokonyowa Village."

This is a fairly compact felspathic sandstone with a calcareous cement. In mineral composition it is similar to B.C. 06-143, but unlike the latter it is tough, and would be useful as a building stone.

"No. B.C. 06-151. Radial quartz. Pokonyowa Village."

This is a specimen of white concretionary quartz.

"No. B.C. 06-152. Basalt from lower sandstone, Nanchichi Village."

This is a small piece of black, compact basalt.

"No. B.C. 06-153. Iron ore from lower sandstone, Pokonyowa Village."

This consists of numerous rounded fragments of magnetic iron ore.

A sample gave the following results on analysis:—

	Per cent.	
Ferric oxide (Fe_2O_3) ...	75·59	Equivalent to metallic iron 71·26 per cent.
Ferrous oxide (FeO) ...	23·58	
Manganous oxide (MnO)	0·32	
Silica (SiO_2)	0·21	
Phosphoric oxide (P_2O_5)	trace.	
Titanium dioxide (TiO_2)	trace.	
Sulphur (S)	Nil	

The analysis shows that the ore contains 75 per cent. of magnetite and 23 per cent. of haematite, and in this respect resembles the samples previously examined. The ore is free from sulphur and phosphorus, and would be valuable for the manufacture of the best qualities of steel by the acid process.

"No. B.C. 06-154, 155, and 156. Lava flows, Mpobou Village."

These are specimens of dolerite.

"No. B.C. 06-157. Weathered slaggy surface of lava flow (laterite), Panda Village."

"No. B.C. 06-158 and 06-159 Vesicular lava, Panda Village."

These are specimens of much altered scoriaceous basalt.

"No. B.C. 06-160. Agates, &c."

These are fragments partly of quartz and partly of chalcedony, some of which is banded. Several of them may be described as agates, the rest being plain chalcedonic infillings of the cavities of the basalts. They are of no commercial value.

"No. B.C. 06-161. Concentrate, Nyangundi River." Weight about 9 grams.

"No. B.C. 06-162. Concentrates, Mikombo River." Weight about 6 grams.

These two concentrates consist principally of ilmenite, garnet, hornblende, and magnetite, with some quartz, felspar, zircon and rutile. A trace of monazite was observed in B.C. 06-161, but none in B.C. 06-162.

Specimens accompanying Interim Report No. 8.

"No. B.C. 06-163. Micaceous gneiss from railway cutting, six miles south of junction of Ruo and Tuchila Rivers."

This is a specimen of biotite-hornblende-gneiss.

"No. B.C. 06-164. Hornblendic quartz, same locality as B.C. 06-163."

This is a specimen of massive quartz with a little black tourmaline.

"No. B.C. 06-165. Hornblendic granite, south scarp of Mlanje."

This is a specimen of partially decomposed hornblende granite, too much altered and friable to be useful as a building stone.

"No. B.C. 06-166. Pegmatitic vein containing massive hornblende, south scarp of Mlanje."

This specimen consists of hornblende with a small amount of quartz.

"No. B.C. 06-167 and 06-168. Finer grained granites, south scarp of Mlanje."

These are specimens of compact hornblende granites, somewhat similar in mineral composition to B.C. 06-165, but tougher and less coarse than the latter and would be useful as building stones.

"No. B.C. 06-169. Concentrate, near junction of Ruo and Tuchila." Weight about 12 grams.

Nearly half the bulk of this concentrate consists of magnetite; the remainder is principally ilmenite, with some hornblende, epidote, garnet, mica, zircon, quartz, and felspar.

"No. B.C. 06-170. Granitic crystalline schist, railway near Lifluni."

This is a specimen of hornblende-biotite-schist.

"No. B.C. 06-171. Hornblende gneiss or schist, railway near Lifluni."

This is a specimen of amphibolite, consisting almost entirely of hornblende.

"No. B.C. 06-172. Pegmatitic vein, railway near Lifluni."

This is a specimen of coarse felspar, with small patches of quartz and epidote.

"No. B.C. 06-173. Basalt, railway at 12 miles from Chiromo."

This is a specimen of tough, compact, dolerite. Such material as this is excellent for road-making purposes owing to its toughness and binding properties.

"No. B.C. 06-174. Concentrate, Lifluni stream, tributary of Ruo." Weight 27 grams.

"No. B.C. 06-175. Concentrate, stream at 13½ miles from Ch/o." Weight 134 grams.

"No. B.C. 06-176. Concentrate, Nswadzi River." Weight 209 grams."

"No. B.C. 06-177. Concentrate, Likubula River." Weight 45 grams.

These four concentrates are essentially mixtures of magnetite, garnet, and ilmenite in varying proportions, with small quantities of hornblende, epidote, zircon, rutile, quartz, and felspar. A little monazite was observed in B.C. 06-174 and B.C. 06-176, but the amount present is very small.

Specimens accompanying Interim Reports Nos. 9 and 10.

"No. B.C. 07-1. Galena lode, Dowa. Sample from bottom of Shaft 1."

The specimen consists of rubbly quartz with earthy material containing small quantities of graphite and pyromorphite. A portion was assayed, and the following results obtained:—

Metallic lead	... ...	0·92 per cent.
Silver	... ...	1·5 oz. per ton
Gold	... ...	trace

The material therefore does not contain sufficient lead or silver to be of value as an ore, but it is worth noting that the proportion of silver to lead is high. This relation is, however, not maintained in the subsequent samples.

"No. B.C. 07-2. Galena lode, Dowa. Sample from top of Shaft 1."

The specimen consists principally of vein quartz in the condition of rubble with fragments of decomposed graphite schist. There is also a fair amount of yellow crystallised pyromorphite, but no galena in the ore. A sample was assayed and the following results obtained:—

Metallic lead	... ...	2·53 per cent.
,, silver	... ...	0·4 oz. per ton.
,, gold	... ...	trace.

It is evident on comparing these results with those obtained from B.C. 07-1, that the silver does not bear any fixed relation to the pyromorphite present.

The amount of pyromorphite is about 3 per cent., and this is not sufficient to make the sample of value as an ore of lead.

"No. B.C. 07-3. Galena lode, Dowa. Sample 30 yards east of Shaft 1."

The specimens consist of rubbly quartz with fragments of graphite schist and a considerable amount of ferruginous dirt derived from the schist. The sample carries a fair amount of amorphous pyromorphite, and the quartz also contains it in small, but well defined, yellowish-green hexagonal prisms. Some limonite is present. A sample was assayed, and the following results obtained:—

Metallic lead	... ...	3·32 per cent.
,, silver	... ...	0·8 oz. per ton.
,, gold	... ...	trace.

These results indicate irregular distribution of the silver which is not unusual in an oxidised ore. The amount of pyromorphite is only about 4 per cent., so that this material is of no value as an ore of lead.

"No. B.C. 07-4. Galena lode, Dowa. Sample from the parallel lode."

The sample consists almost entirely of vein quartz with a considerable proportion of dust. Some limonite and a small amount of pyromorphite are present.

A sample was assayed, and the following results obtained:—

Metallic lead	1·31 per cent.
,, silver ...	0·5 oz. per ton.
,, gold	trace.

The material from this lode is similar to that from the main lode. The proportion of silver to lead is high and gives promise of a workable ore if richer material is discovered.

"No. B.C. 07-5. Galena lode, Dowa, from Mchie Hill."

The specimen consists largely of rubbly quartz stained red with ferrruginous material. Small amounts of pyromorphite occur associated with the quartz in fair-sized pieces. A sample was assayed and the following results obtained:—

Metallic lead	0·71 per cent.
,, silver	0·4 oz. per ton.
,, gold	trace.

Both this and the previous sample are very poor in pyromorphite and give little promise of valuable ore.

"No. B.C. 07-6. Galena lode, Dowa. Picked specimen of ore."

This sample consists chiefly of fragments of quartz veinstuff, with patches of amorphous lead phosphate (pyromorphite), lumps of anglesite and limonite. Some gypsum also occurs with the sample, and apparently forms part of the veinstuff.

A sample gave the following results on analysis:—

	Per cent.
Lead oxide (PbO)	14·63
Ferric oxide (Fe_2O_3)	13·64
Phosphoric oxide (P_2O_5)	1·01
Sulphuric oxide (SO_3)...	7·83
Silica (SiO_2)	48·08
Moisture, and combined water ...	7·05

The sample contains the equivalent of 13·57 per cent. of metallic lead and 2·7 oz. of silver per ton. As this is a sample of picked ore it indicates that the ore is intimately associated with the quartz of the lode, and that nothing likely to be remunerative in working occurs on the property examined.

"No. B.C. 07-7. Galena lode, Dowa, quartz with felspar."

This sample consists chiefly of quartz, with a little kaolinised felspar and muscovite.

"No. B.C. 07-8. Coarse pegmatitic granite, Narumbe Hill, Dowa."

This is a specimen of biotitic granite.

"No. B.C. 07-9. Hornblendic gneiss, Narumbe Hill, Dowa."

This is a specimen of garnetiferous amphibolite.

Specimens accompanying Interim Reports Nos. 11 *and* 12.

"No. B.C. 07-10. From Zanseu Stream, near Lungudzi camp." Weight 23 grams.

This is a concentrate consisting chiefly of hornblende, with some ilmenite, garnet, zircon, rutile, quartz, and a trace of monazite.

"No. B.C. 07-11. From the stream opposite Dowa Boma, on the Lingadzi River." Weight about 240 grams.

This is a black concentrate, consisting chiefly of ilmenite, with some magnetite, garnet, hornblende, kyanite, rutile, quartz, zircon, and a little monazite.

"No. B.C. 07-12. From Ngara."

A specimen consisting chiefly of quartz with some magnetite.

The three concentrates B.C. 07-10 to B.C. 07-12 contain nothing of economic value.

Miscellaneous Specimens.

In addition to the specimens collected by the Officers of the Mineral Survey, two samples were received from the Acting High Commissioner at Zomba, and are referred to in a letter dated the 19th February, 1907.

These have been examined in the Scientific and Technical Department of the Imperial Institute, and have given the following results:—

No. 1. (BcA 3) "Supposed cobalt ore from the Ngara sub-district, Nyasaland."

The specimen consists of a dark greyish granulite, discoloured in parts by thin films of limonite. Analysis showed that cobalt and nickel are present only in minute traces, and that gold, silver and platinum are absent. This material is therefore of no commercial value.

No. 2 (BcA 4) "Supposed zinc ore from Kota Kota Hot Spring."

This specimen is a variety of gneiss coated on one side with a crust of travertine derived no doubt from the hot spring water. The crust alone was analysed and was found to have the following composition:—

	Per cent.
Ferric oxide (Fe_2O_3) ... ... } Alumina (Al_2O_3) ... ... }	7·16
Lime (CaO)	37·35
Insoluble matter	16·05
Loss on ignition	39·34

The white mineral consists principally of calcium carbonate. It contains no zinc, and is of no commercial value.

WYNDHAM R. DUNSTAN.

7th January, 1908.

COLONIAL REPORTS.

The following recent reports relating to His Majesty's Colonial Possessions have been issued, and may be obtained from the sources indicated on the title page :—

ANNUAL.

No.	Colony, &c.	Year.
522	Falkland Islands	1906
523	Ashanti	„
524	Jamaica	1905–1906
525	Uganda	„
526	St. Helena	1906
527	Ceylon...	„
528	Bermuda	„
529	Gibraltar	„
530	Northern Territories of the Gold Coast	„
531	Sierra Leone	„
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40	Northern Nigeria	Taxation of Natives.
41	East Africa Protectorate ...	Report on Kenia Forests
42	Ceylon	Mineral Survey, 1905–6.
43	Caicos Islands	Fibre.
44	East Africa Protectorate ...	Survey Department.
45	Do. do.	Geology.
46	Northern Nigeria	Mineral Survey, 1904–5.
47	Do. do.	Do. do. 1905–6.

COLONIAL REPORTS—MISCELLANEOUS.

No. 56.

TURKS AND CAICOS ISLANDS.

REPORT ON THE SALT INDUSTRY;

BY

MR. F. H. WATKINS,
Commissioner of the Turks and Caicos Islands.

Presented to Parliament by Command of His Majesty.
October, 1908.

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No. 56.

TURKS AND CAICOS ISLANDS.

REPORT ON THE SALT INDUSTRY.

The GOVERNOR OF JAMAICA to the SECRETARY OF STATE.

MY LORD, King's House, Jamaica, 1 August, 1908.

I HAVE the honour to transmit herewith, for your Lordship's information, a copy of a letter from the Commissioner of the Turks and Caicos Islands, enclosing a report upon the salt industry of the Dependency.

2. I have expressed to Mr. Watkins my appreciation of this very complete and interesting report, and I submit, for your Lordship's consideration, that it might be printed in the series of Colonial Government Reports.

I have, &c.,
SYDNEY OLIVIER,
Governor.

The Right Honourable
The Earl of Crewe, K.G.,
&c., &c., &c.

The COMMISSIONER, Turks and Caicos Islands, to the COLONIAL SECRETARY, Jamaica.

Commissioner's Office,
SIR, Grand Turk, 7th July, 1908.

I HAVE the honour to forward, in duplicate, a report upon the salt industry of this Dependency, which may be of value in dealing with the present critical situation.

2. The report is divided into three parts:—

I. Chief dates and facts connected with the industry.
II. Brief historical sketch.
III. The process of salt raking, statistics, and general observations.

3. Considerable difficulty was experienced in obtaining from old records and files of newspapers the historical information, part of which could only be gleaned from some of the old inhabitants and would have been lost in a few years. The past history of these Islands of "salt, sand, and sorrow," throws light upon the present situation, and deserves a permanent record.

I have, &c.,
F. H. WATKINS,
Commissioner.

The Honourable
The Colonial Secretary,
Jamaica.

PART I.

Principal Dates Connected with the History of the Salt Industry.

1678. Bermudians commenced to rake salt at the Turks Islands.

1710. Attack by Spaniards upon the salt rakers.

1753—1763. Attacks by French upon the salt rakers.

1766. Appointment of Mr. Symmer as Agent and Commander.

1771. Petition from salt rakers to the Governor of Bermuda against annexation to the Bahamas.

1781. Royal Regulations.

1797. First meeting of the local Board of Representatives.

1799. Act for incorporating the Turks Islands, passed by the Bahama Legislature.

1804. Order in Council confining the incorporation with the Bahama Government.

1808. Bahama Act passed giving force and validity of law to the Royal Regulations of 1781.

1827 and 1844. Petitions to the Crown from the Turks Islands praying for independent government.

1838. Emancipation. Company formed for working the salinas at Cockburn Harbour.

1845. Change from the Headright system to leasehold tenure.

1847. Lease of Cockburn Harbour ponds to Mr. N. T. Butterfield.

1848. Separation of the Turks and Caicos Islands from the Bahama Government (25th December).

1852. Survey of West Caicos.

1857. Company formed for working the ponds at West Caicos.

1861. Abandonment of salt raking at West Caicos.

Lease for 99 years of the salt ponds at Cockburn Harbour to Mr. Butterfield (August).

1862—3. Conversion of the tenure of the salt ponds at Grand Turk and Salt Cay from leasehold to freehold.

1864. Freehold tenure accepted by the lessee of Cockburn Harbour (August).

1866. Disastrous hurricane (30th September).

1869. Temporary reduction of the export duty.

1873. Abolition of the export duty (March).

1874. The Turks and Caicos Islands made a Dependency of Jamaica (January).

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First introduction of machinery for making fishery salt.

1879. Ordinance passed imposing a maintenance rate.

1894. Salt admitted free of duty into the United States.

1896. Salt Pond Ordinance passed.

1897. Duty of 3*d.* a bushel imposed on salt imported in bulk into the United States.

1907. As a relief to the salt industry ordinances were passed to reduce, temporarily, the statutory value of salt, upon which royalty was paid, from 3½*d.* a bushel to 2*d.*

PART II.

Short Sketch of the History of the Salt Industry of the Turks and Caicos Islands.

General description of the Islands.—With the exception of the struggle for political independence from the Bahama Government, which continued from 1764 to 1848, the history of the local salt industry may be said to be that of the eastern portion of the Dependency of the Turks and Caicos Islands. The name of Turks Islands is derived from that variety of cactus, commonly found in the group and known as *melocactus communis*, which is supposed to resemble a Turk's head, while the word Caicos is said to be derived either from the Spanish word Los Cayos, meaning the Keys, or from a corruption of Lucayos, the Indian name for the Bahamas.

The Turks Islands lie in latitude 21° 31′ N. and longitude 71° 5′ W., and consist of two inhabited Cays, Grand Turk and Salt Cay, formerly known as Grand Key and Little Key, with a population of 1,751 and 453, and an area of 10 and 6 square miles, respectively, and of several islets, Gibbs', Round, Long, Peniston, Pear, East, Cotton, and Sand Cays, which together form the eastern boundary of the principal passage for vessels sailing from Canada and the United States to the various ports of Hayti, Cuba, Jamaica, and Central America. In shape Grand Turk resembles the blade of a butter knife. Salt Cay is triangular, and has been compared to an officer's three-cornered hat. Officially, the islands belong to Jamaica; geographically and ecclesiastically, to the Bahamas; socially, to Bermuda. On the western side of the Grand Turk passage, known formerly in French as Le débouquement des isles turques, which is about 20 miles wide, lie the Caicos Islands, of greater extent, which, although now included in the Government of the Dependency, had, prior to

1849, a history almost distinct from that of the Turks Islands. Owing to their proximity there was, naturally, frequent intercourse between both groups, which were, however, from 1799 to 1848, regarded as two separate parishes of the Bahama Government, known as those of St. Thomas and St. George, respectively. The settlements from which salt is exported at the present day are three in number, Grand Turk, Salt Cay, and East, or Cockburn Harbour, situated in South Caicos. As will be seen later on, attempts were made, from 1852 to 1862, to bring the salinas at West Caicos into profitable cultivation.

Their early History.—The claim, once advanced with considerable ingenuity, that Grand Turk was the island upon which Columbus first set foot in 1492, has been refuted by incontrovertible evidence, which has established the fact that to Watling's Island, the native name being Guanahani, belongs the distinction of being the island first discovered on that memorable voyage. It is, however, more than probable that these islands were sighted during the first voyage of Columbus by Martin Alonza when the "Pinta" was separated from the "Santa Maria" and "Nina." That this may have been the case, is supported by the fact that in 1512 John Ponce de Leon, in sailing northward from Porto Rico, after touching at a place called Aguado, anchored at the shoals of Babucca near an island, evidently discovered previously, and known as Del Viego, or the Old Man's, which is supposed to be Grand Turk.

The Spaniards came to the West Indies to exact tribute of gold and silver, while the English, French, and Dutch were intent on the cultivation of the land and trade. As there were neither gold mines nor land suitable for the raising of tropical produce in the Turks Islands, they remained, for many years after the other islands had been settled, unnoticed and unoccupied. From the Bermudas, or Somers Islands, lying 700 miles north of the group, to which the first emigrants sailed in 1612, vessels frequently passed the Turks Islands on their way to the other West Indies to carry back cattle, corn, and other articles of food and to trade with the Caribs; and the fact that they were adapted for the making of salt must have been gradually brought under observation. Unaware of the probability that they had been discovered by the Spaniards, the Bermudians were convinced, as they endeavoured to maintain later on, in 1768, on oath before the Chief Justice of their Colony, that they were the original discoverers of the group.

The increasing importance of the fisheries of the New England States drew the attention of the Bermudians to the advantages of establishing a salt industry which would furnish a staple product for the maintenance of their carrying trade. In the commission granted by the Governor and Company of the City of London to *the undertakers for the Plantaçon of*

Somers Islands, dated the 27th April, 1612, are included the following instructions: "Whereas we have now sent one Ralph Garner and employed his service for the makinge of Salte in the Somers Islands, so therefore upon your firste Cominge into the said pts you shall find by tryal that the earth and mould cannot be made favourable to conteyne the liquor intended for that use nor any other means to be found in the said place fitt to be tempered for the use of Salt panns we doe then require you to signify the said deficit by the first return of this shipp."

Early days of salt raking.—As it was not found practicable to make salt at Bermuda, and as its agricultural possibilities were not then recognised, the importance of the Turks Islands to the Bermudians became apparent as soon as the excellent conditions for salt raking in these islands were discovered. It was not, however, until about 1678 that any systematic attempts at salt raking at Grand Turk were made by the Bermudians, who from that date resorted annually to Grand Key and Little Key for the purposes of gathering salt during the hot season. They returned about November to Bermuda where they remained until February or March, because salt could not be raked at that period of the year, and other industries were out of the question on islands composed of little more than burning sands and rugged rocks. The salt industry, in the absence of the present flourishing vegetable export trade of Bermuda with the United States, afforded the Bermudians the staple so necessary for maintaining, with little capital, their carrying trade, and also allowed sufficient time in each year for the cultivation of vegetables for their own consumption. The conditions of life under which the industry was pursued were so severe, and the hardships endured so manifold, that for many years there does not seem to have been any idea of permanent settlement, as is evident from the existence, even up to 1845, of what is known as the headright system, or annual division of the salt ponds. The first of the Royal Regulations of 1781 for the government of the ponds stating that "All His Majesty's subjects whatever are to have free liberty of making and gathering salt at Turks Islands, provided they conform and pay due Obedience to the Regulations." and that part of a petition in 1797 of the inhabitants of Grand Key to the Agent praying for self-government, and pointing out that "From the frequent interchange of Inhabitants we are induced to conceive that no Legislation here should or can be permanent for more than a year," prove that there was no idea of fixed property in the ponds.

Moreover, where the ponds are now, were probably swamps. the breeding haunts of myriads of mosquitoes, which, towards the end of the year in the rainy seasons, would render life intolerable, if not impossible. The hardships which had to be endured by the early rakers and the circumstances of their

existence are quaintly and graphically pourtrayed in the Annual Register of 1764, which, in alluding to the recent invasion of Grand Turk by the French, states, "These islands are many in number of which that where these violences happened is the most considerable, or rather the least insignificant, being low, sandy and barren with very little, if any, fresh water, without any vegetables except low shrubs, or any animals except lizards, guanas and land-crabs, but the coast abounds with fish and turtle, and the beach is covered with seafowl . . . . The business of making salt is chiefly carried on by Bermudians who come here in the month of March and continue during the dry season leading a life that the idea of liberty only can render preferable to slavery itself. They live in little huts . . . they have a knife in their pockets and a kettle in their kitchen; their wardrobes consist of nothing but a straw hat, a check shirt and a pair of oznaburg trousers; their food is salt pork and now and then a guana (a sort of large lizard) when they have time to catch them, and very often they are without bread, yet in this way of life they enjoy health, nor do they ever differ about property or religion, for they have neither priest, lawyer or physician among them. The New Englanders come here with sloops and schooners in great numbers to load salt for their fisheries; they buy it from 4*d*. to 6*d*. sterling the bushel, and they pay the poor Bermudians a small part in money, the rest in stinking rum, rotten pork and musty biscuit; now and then throwing them a cask of sour water into the bargain." A petition in 1827 for separation from the Bahamas by the inhabitants of the Turks Islands makes the following reference to the sufferings undergone by their forefathers: "They continued to cultivate and improve the salt ponds by their own labour and industry undergoing and encountering all the hardships and privations necessarily attendant upon a barren and inhospitable soil and climate." Even in later days, in the settlement of East Harbour about 1840, the first salt rakers had "neither meat nor drink or what could be called such in most civilized countries. They put a vast extent of salina under cultivation and they redeemed from waste and added materially to the wealth of the country, what in its primary and fallow condition was of no earthly value." Truly, it required that the pioneer salt rakers of these islands should be possessed of what Lord Curzon of Kedleston has eloquently described as "that ineradicable and divinely implanted impulse which has sent Englishmen forth into the uttermost parts of the earth and made him there the parent of new societies and the architect of unpremeditated creations."

These conditions were gradually ameliorated as the islands became healthier and the population more stationary.

Head Right System.—As has been said, there was originally no intention of establishing a permanent settlement of these

islands, and the administration of public and commercial affairs resolved itself into a species of primitive communistic self-government, observing a certain recognized form of ephemeral, or rather annual, ownership, known as the Head right System. Under this system one-third of the whole ponds seems to have been reserved for the purposes of the common government and the remaining two-thirds were shared among all the British inhabitants present in the island on the 10th day of February of each year. It would appear that every adult, whether male or female, slave or free, was entitled to a full share. Children under adult age were measured, and, according to what may be a forerunner of the decimal system, so many tenths of a share allotted to them as their height entitled them to receive, but by a Bahama Act of 1837 every person who was of the age of twelve years and upward received a full share and those under twelve years half a share. In this manner, every British subject who was in time to be registered, became entitled to a share in the ponds, and every head of family endeavoured to be present on the day appointed so as to cover as many shares as he possibly could for that year. As time went on, these shares once allotted, could be either sold or exchanged, as the exigencies of the holders for the year demanded. Masters of slaves obtained the benefit of the shares allotted to the latter.

Royal Regulations, 1781.—This system received official recognition by the Royal Regulations of the 29th June, 1781, which had been prepared by the Lords of the Committee of Council for Trade and Plantations, the central administration of those days of colonial affairs, after mature inquiry had been made to consider what regulations were "proper to adopt for the good government of the salt ponds and of those that resort there to make salt." As these regulations embody and concrete the main principles of the head right system, the chief of them are of sufficient historical interest to be given at length.

1. "All His Majesty's subjects whatever are to have free liberty of raking and gathering salt at Turks Islands provided they conform and pay due Obedience to the Regulations."

2. "There shall be elected by the Inhabitants of Grand Key five Persons from among themselves as Commissioners to regulate and proportion the shares of all the Persons who shall be allowed to work in the Salt Pans and Ponds on that Key, and there shall be likewise elected by the Inhabitants of Salt Key three Persons from among themselves to regulate and proportion the shares and lay out the Pans and Ponds on that Key on the first day of February of each succeeding year."

3. No shares were allowed for slaves or servants banished for crimes.

4. "All persons intending to work in Pans or Ponds shall be obliged to appear with their Companies on or before the tenth day of February before the Commissioners elected that present year otherwise they shall have no Interest or Share in the Pans or Ponds."

5. No servant or slave was allowed to work for himself in any other ponds or pans than those of his owner.

6. No person was allowed to work in the ponds on Sundays or between sunset and sunrise.

7. No salt works were to be removed.

8. No person was allowed a share for any servant or slave after the latter had been absent for more than forty-eight hours from the islands.

9. "All forfeited or deserted shares of the Ponds and Pans shall be sold by the Commissioners to the highest bidder and the money arising from such shall with the consent of His Majesty's Agent and Commander be laid out in necessary Public Service for the use of His Majesty in the defence of these Islands."

10. "All persons shall at every season be obliged to make known to His Majesty's Agent and Commander at what particular Key they propose to work and shall be obliged to continue at such Key during the season."

The forfeited and deserted shares, together with a certain number of the allotted shares, formed the revenue to meet the common expenditure. Thus, in the minutes of the Board of Representatives in 1799, is found the following resolution: "Resolved that the salt which has been gathered at Grand and Salt Key on account of the Rev. Henry Jenkins arising from six shares allowed him at the former and three shares at the latter in consideration of appropriating a portion of his time as Rector of St. George's to the performance of clerical duties in these Islands for the past and present year Be shipped on Board the first unconsigned vessel loading at either Key for Cash after the Public Salt shall have been sold." Instances of the payment of salaries of public officials and ministers of religion were not unknown in the early days of the West Indian Colonies. In Montserrat, under an Act of 1668, an "able preaching orthodox Minister" was to be appointed, and it was enacted "That for the maintenance of such able preaching Minister, the full and just Quantity of Fourteen Thousand Pounds of Sugar, or the value thereof in Tobacco, Cotton, Wool or Indigo be yearly raised or levied of and from the several Inhabitants of this Island according to their several Abilities."

History of the Turks Islands in the Eighteenth Century.—To comprehend fully the history of the salt industry, it is necessary to digress slightly into the general history of the period, and more particularly to take a cursory notice of the

constitutional struggle which continued for nearly a century between the Bahamas and Turks Islands. From their barren nature the latter did not, at first, possess elements of attraction to excite the attention or cupidity of any but those in quest of salt, nor were they considered of sufficient commercial importance for the Bahama Government to assert the right of possession to them, forming though they undoubtedly do, geographically, a component part of that group. In 1710, when the Spaniards attacked and dispossessed the salt rakers found at Grand Turk, the Bermudians, at their own expense and of their own initiative, despatched a force under Captain Lewis Middleton, which drove off the aggressors. The Spaniards continued, however, to make occasional raids upon the ponds, so that the Bermudians were compelled to arm their vessels to repel these attacks. In 1753, shortly after the conclusion of hostilities, the French landed an armed force at Grand Turk and erected wooden crosses on which were carved inscriptions proclaiming their right of possession. Upon the appeal of the Bermudians to the home authorities, the salt rakers were replaced in peaceable possession of their ponds. Notwithstanding, however, this acknowledgment of the claims of the Bermudians, the French, after the Peace of Paris in 1763, once more sent from San Domingo a flotilla which attacked the salt rakers, destroyed their houses, and carried them as prisoners to St. François. Upon the prompt and vigorous remonstrance and action of the English Secretary of State, the French Government disavowed the proceedings, disclaimed all intention of acquiring or conquering Turks Islands, and sent an order to Count d'Estaign, the Governor of San Domingo, for the French to evacuate the islands forthwith and to make reparation for the damage received by the English according to an estimate to be settled by the Governor of Jamaica. Since that time, the British right to the islands has never been questioned. In consequence of the French pretensions, the attention of the British Government had, however, been drawn to their importance both from a strategic and a commercial point of view. It must be borne in mind that, during the whole of the middle of the eighteenth century, there was a prolonged and desperate struggle between the English and French for naval and colonial supremacy. "The bow of Ulysses," according to Froude, "was strung in those days," and in America the two nations stood in direct competition for a prize of incalculable value, in which titanic contest the West Indian islands were pawns, but valuable pawns covering the back line of the New World. Hardly a treaty of peace was concluded without the cession or exchange of one of the West Indies. The Governor of the Bahamas, Mr. Shirley, also aroused to their growing importance made a report emphasizing the naval and commercial value of the Turks Islands to the Council of Trade and Plantations, who were impressed with the necessity for placing them, once and for all, under some recognised British colonial government and

for preventing them remaining as flotsam for the claims of foreign Powers. Taking the view that as they were, geographically, part of the Bahamas Islands, the British Government decided that the Turks Islands should be included in the administration of that Colony, and in 1766, a Mr. Symmer, of Nassau, received a commission appointing him Agent and Commander of the Turks Islands. The authority of the Agent was strenuously resisted by the Bermudians, who regarded the terms of his appointment as an infringement of their prescriptive rights, and refused to pay the taxes imposed by the Bahama Government. It would be to no useful purpose to discuss at length the claims of the disputants and to trace the different measures each took to establish those claims, except so far as they concerned the salt industry. The case for the Bermudas was ably set out in a pamphlet entitled, "The Question of the Bahama jurisdiction over the Turks Islands," which was published in London in 1803 by Mr. Tucker under the *nom de plume* of Isocrates. The dispute remained practically undecided until, in a despatch from the Secretary of State bearing date the 29th April, 1804, it was determined that "the Turks Islands are a part of the Bahama Islands and the legislative authority of the Bahama Islands extended over the said islands called Turks Islands." In the interval between the appointment of Mr. Symmer and the above decision, the Royal Regulations were passed and observed by the salt rakers, who, however, in 1797, foreseeing that the trend of political events was in the direction of close official connection with the Bahamas, petitioned the Agent, Colonel Murray, to sanction "the assembling and electing from among us a certain number of persons belonging to the Grand and Salt Keys to sit as a Representative Body and compose one Board of the Legislature, to take under consideration matters by which the Inhabitants of these Islands are to be affected, except only those issuing from Authorities delegated (*i.e.*, from the Crown to the Agent). The selection of Representatives should be empowered to examine public accounts, to consider of the propriety of any and all public expenses payable by the People and adopt the mode of levying taxes by Law and the defraying such expenses. They should also have the power of passing Annual Bills and Regulations for the improving the Police of the Colony as well as all such powers possessed by the House of Representatives in various British Colonies as may be found consistent with the difference of circumstances under which we stand—all their Resolutions and Acts requiring your Honour's Assent to give them the Validity of Laws." The Agent gave sanction to the inhabitants of Grand Turk to proceed to the election of seven representatives who were authorized to act and pass resolutions having effect for one year. This Board of Representatives was elected annually from 1797 until 1805 when, by an Order in Council communicated in the despatch of the 29th April, 1804, it was apparently superseded by the Bahama Legislature.

Board of Representatives.—Some of the provisions of the standing Rules of the Board are sufficiently quaint to deserve notice. Not only were the doors of the House to be open "for the admission of persons who should attend and behave with decency," but, to facilitate the forcible ejection of brawlers, "the doors shall be also open for the turning out all such as having been admitted show a contrary conduct." Members who were absent or arrived late at a meeting or who interrupted others addressing the Chair or who left the Board without the permission of the Chairman were to pay a fine of 6*s.* 8*d.*

Although business of general interest was transacted, it was only natural that matters connected with the salt industry should play a prominent part in the proceedings of the Board. The early days of idyllic and primitive harmony among the salt rakers had evidently passed away, and stern competition, with the haste to become rich, or, as it is stated in the minutes, "an over anxiety on the part of some individuals to realize into Cash the Quantities by them held," was inevitably introducing methods deviating from commercial integrity. Resolves for preventing the depreciation of salt exported, for rendering the labour of the people as productive as possible, for regulating the bushel, and for appointing sworn measurers of salt were passed each year. The preamble of the resolves: "Whereas from the anxious desire which the holders of salt have to dispose of the same, a Rivalship is constantly prevailing among them and the value of Salt in consequence very much reduced to the great discouragement of the business of Salt gathering as well as to the oppression of the poorer Classes of Inhabitants, And whereas, as sundry communications from eminent Mercantile Houses in the United States of America being laid before the Board of Representatives setting forth the Injury generally experienced by them and others trading to Turks Islands for Salt in consequence of short measure from which the Board has reason to apprehend that some ill-disposed Persons may have taken advantage of strangers and sold Salt by a measure short of the usual Bushel Standard and as such practices though only the act of a few must tend to lower the Inhabitants generally in the Estimation of those with whom they have Commercial Connections and thereby injure His Majesty's Revenue and the general trade of these Islands . . . ," is suggestive of the conditions of the period. The Commissioners appointed to carry out the provisions of these Resolves were required to take a list of all the holders of salt and the precedence of all the holders, for the purpose of loading vessels not consigned to merchants. Those having salt to dispose of were called upon in rotation to deliver their salt at the rate of fifteen per cent. of the quantity in hand so far as was required for the cargo at a price fixed from time to time by the Board of Representatives with the concurrence of the Agent. As is the case

in all attempts to restrict or regulate trade, elaborate provisions had to be made to prevent the infringement, by collusion or otherwise, of the resolves, such as by forbidding boats bespeaking vessels coming into the roads before the latter had been boarded by a revenue boat, &c. It was also resolved that "no person presume to sell salt either at Grand or Salt Key by any other measure but such as is stamped by the Inspectors who shall have been appointed by His Majesty's Agent and Commander, which Measure shall contain Thirty Eight quarts wine measure." The Bahama Act No. 1 of 1837 increased the measure to 40 wine quarts, but by Sec. 1, of Ordinance No. 10 of 1855 the bushel of salt must contain thirty-five imperial wine quarts, which quantity still remains the legal measure of the Dependency.

In 1801, the price of salt was fixed at 2*s.* 4*d.* a bushel, cash, and 2*s.* 6*d.* a bushel, bills, at Grand Quay (*sic*), and at Salt Key the salt holders were allowed to sell their salt twopence a bushel less than the statutory price at the former island.

Incorporation of the Turks Islands with the Bahama Government 1799 *to* 1848.—In the meantime, in 1799, the Bahama Government had passed an Act incorporating the Turks Islands in their administration, and this Act, in spite of vehement remonstrances from the Bermudians, received the Royal Assent. The Turks Islands remained dependent upon the Bahama Legislature until 1848, during which period two events of importance, the emancipation and the change from the tenure of the ponds by the head-right system to that of leasehold occurred. In 1808 an Act was passed by the Bahama Assembly for the term of ten years giving to the Royal Regulations of 1781 "the Force and Validity of Law of these Islands and for regulating the mode of selling and disposing of salt thereon mentioned." In 1821 the 1808 Act was revived and continued, and in 1822 it was further amended. In 1824 a similar Act passed, which was also continued and amended in 1826 by another that, in addition to the previous provisions, added one for ascertaining the quantity of salt made during each year at the Turks Islands. In 1837, the year before complete emancipation, when the 1826 Act was about to expire, it became necessary to consider and anticipate the economic and social changes consequent on the impending abolition of slavery, which would, of course, deprive the owners of slaves of the shares allotted to the latter at the annual division of the ponds under the head-right system. By the Bahama Act, No. 1 of the 13th June, 1837, for the regulation of the salt ponds situate at the Turks Islands, not only British subjects but also aliens and others who had resided three years consecutively in the Colony were permitted to rake salt, provided, however, "that no apprentice by deed or indenture, domestic servant, or apprenticed labourer, under the Act of Parliament for the abolition of Slavery, shall be entitled to any portion or share in any Salt Pond or

Pan." By Sec. 6 of the same Act the Salt Pond Commissioners were empowered to reserve and sell by public auction annually ten per cent. of the shares for the general services and improvement of the pans or ponds, including shipping places and roads. The choice of the position of the ponds was still to be decided by drawing lots annually on the second Monday in February, but an important advance was made towards permanent tenure and proprietary rights under Sec. 8, which provided that, on the second and any subsequent division, under the Act, of the salt ponds, "the persons who in the first year obtained shares in the said Ponds shall be entitled to retain the allotments assigned to them on the first division of the Ponds . . . . Provided, however, that nothing herein contained shall be construed to authorize any person to retain any greater number of shares in the ponds than he may be entitled to, in virtue of the annual list by this Act required to be rendered. And provided further, that no persons retaining an allotment previously held by him or her, shall be permitted to retain a larger space for one share in such Pond than is allowed to any other person or persons entitled to shares therein not having previously held allotments therein. Provided also there shall be a division of the whole of such Salt Ponds *every fifth year*, to be computed from the first division made under the authority of this Act, at which quinquennial division no person shall have any privilege of choice in virtue of having held allotments in the ponds or any of them under any previous division."

A further advance towards establishing a proprietary right in the ponds was made two years later, when, by the Bahama Act No. 3 of 1839 it was made lawful for any one entitled to shares to dispose of them in prospective, and it became the duty of the Commissioners of Ponds on the division of ponds next succeeding such sale to assign the shares to the purchasers. In 1841, "from the apathy which had hitherto existed, difficulty may occur in ordinary experienced men to become candidates for the office of Commissioner, and it is expedient to vest the appointment of future Commissioners of Salt Ponds in the Governor," the appointment was accordingly vested in the Governor or Officer Administering the Government, who appointed three Commissioners both at Grand Turk and Salt Cay on the first day of January in each year.

Change of Tenure from the Head Right System to Leasehold, 1845.—The change from an annual to a quinquennial division of the ponds proved a mere transitional stage to more far-reaching alterations in the terms of occupancy necessitated by the social and commercial upheaval consequent on the abolition of slavery. Before that event, the slave owners, as has been seen, obtained not only their own individual shares in the ponds but also those of their slaves. By the general emancipation, however, the proportion of the pond

allotted to the former proprietor was limited to his individual share, and, to obtain sufficient space adequate to the employment of his moderate capital, he had to purchase the shares of the labourers and others who, from want of means, were unable to work the portions of the ponds they had obtained by lot. There was, moreover, under an annual and uncertain tenure, no inducement to expend capital in the erection of machinery and for other improvements to insure increased crops of salt in order to obtain proportionate reproductive remuneration for the expenditure. Had the head-right system continued, the former owners of shares would have had to withdraw from an unprofitable business. On the other hand, although the free labourer received annually a share in the ponds which might be regarded as a perpetual pension payable out of Crown property, yet, as a matter of fact, the result was that the shares annually allotted to those unable to work profitably the ponds themselves, were in the majority of cases regularly obtained by speculators for trifling considerations, payments not in money but in truck, by which the nominal value was greatly depreciated. The problem to be faced, therefore, was to reconcile the interests of the possible employer with those of the lately emancipated labourer, for, while the withdrawal of those possessing capital would have been injurious to the labouring population, the emigration of the latter would have been equally injurious to the former. With this view of the case, it was proposed to introduce a system of leasehold, which, it was calculated, would induce the holders of leases to increase expenditure on the improvement of the ponds and would insure remunerative employment to the labourers. Objections on the part of the recently emancipated slaves and poorer white labourers were raised at the proposal to deprive them of the rights to which they, as residents, had been entitled, and, at first, to allay this opposition, the proposed system of leasehold was limited to two-thirds of the pond, leaving the remaining third to be divided gratuitously according to the head-right custom. It was found, however, that, so far from this concession being even a palliative, it was an aggravation of the situation, and the Secretary of State wrote that "this system ought not to be perpetuated and at the end of three or five years must be abolished." Ultimately, it was decided, in 1845, to dispose of the salt ponds, two-thirds by public tender and one-third by private agreement, on leases of 21 years. That this arrangement was generally approved, was shown by the fact of every share in the ponds being tendered for by the inhabitants of the islands. The rentals derived from the ponds were merged in a fund administered by a Crown Commissioner and were expended in the maintenance of the ponds and other public works.

Separation from the Bahama Government, 1848.—During the transition from the head-right system to tenure by lease, the inhabitants of the Turks Islands had renewed and re-

doubled their efforts to obtain freedom from the legislative control of the Bahama Government and to secure an independent administration. Apart from numerous other grievances, disassociated from the salt industry, the inhabitants, in a petition for separation addressed to the Queen in 1844, maintained that the local circumstances of the two parts of the group were so different as to interpose insurmountable difficulties in the way of fiscal union and to affect adversely the interests of the salt industry. The petitioners stated in their memorial, "That in consequence of New Providence and the other agricultural and grazing islands in its neighbourhood possessing interests diametrically opposed to those of Turks Islands, whose sole production is salt, Your Majesty's memorialists, besides experiencing other wrongs of a most grievous nature, are subjected to a system of unequal and oppressive taxation unknown to any other of Your Majesty's subjects. With the avowed purpose of protection of those agricultural and grazing islands, heavy import duties are imposed upon articles of the first necessity to your memorialists, for which articles they are wholly dependent upon foreign markets, while the same revenue laws levy a tax, both directly and indirectly, upon salt, the staple product of Turks Islands, quite disproportionate to the value of that commodity; a tax which since so small a quantity is exported from any other of the Bahama Islands falls almost entirely upon Your Majesty's memorialists." As early as 1771, in a petition to the Governor of Bermuda, the salt rakers had complained that the Bahama Government was endeavouring to lay a heavy tax upon salt, "the only staple which these islands produce, and a duty of two shillings and sixpence per ton upon all vessels loading with that commodity, which has occasioned most of the British vessels to go to Dutch Islands for their loads of salt." Again, in 1827, in another petition to the King, the memorialists complained, "That, heretofore, under an Act of 28th George III., American vessels were admitted in ballast to carry away salt, the product of these islands, and they became and continued to be the purchasers of nearly all the salt, paying cash in return, which enabled Your Majesty's memorialists to support themselves and their families with a tolerable degree of comfort. They have now to deplore the present restrictions on their trade produced by the order of Your Majesty in Council closing Your Majesty's possessions abroad against the American trade, from which they have been in the habit of deriving their chief and almost only support."

The export duty on salt levied by the Bahama Government was ½*d.* a bushel, which, according to the market price would equal at least 5 per cent. upward of the value of the salt.

To confirm the statements of their petition of 1844, the memorialists deputed one of their number, Mr. D. T. Smith, as delegate, to represent their cause in person. At last, it

was fully recognized from these repeated representations, that the difficulties of intercommunication and the conflicting interests between the Turks Islands and others in the Colony arising from difference in their production and the character of their commerce, rendered general legislation inapplicable, and, therefore, in its operation, necessarily unequal, and that the only remedy for meeting the necessities of the case was by according local government, separate and distinct from that established in the other Bahama islands, to the Turks and Caicos Islands. An Order in Council, dated the 11th August, 1848, authorized, under an Act of Parliament of that year, the desired separation from the 25th December, 1848, and made the Turks and Caicos Islands subject to the supervision of the Governor-in-Chief of Jamaica, and placed them under the administration of a President and a Council of eight others, four of whom were nominated and elective members. The first President under the new system of government was Captain Forth, during whose vigorous administration efforts were made to develop and extend the salt industry, especially in the Caicos Islands which had been included in the Presidency. The policy pursued is so admirably outlined in an address delivered by Captain Forth to the Legislative Council in 1852 that those portions dealing with the salt industry are of sufficient value and interest for inclusion in full.

Period from 1849 *to* 1862.—"In the draft Ordinance I now lay before you I propose that the export on salt shall be lowered, from and after the 1st January, 1853, 25 per cent., that is, from $\frac{1}{2}d.$ to $\frac{3}{8}d.$ per bushel, being a reduction of £625 on the estimate of probable receipts for 1853.

"In the proposed Ordinance I further propose, so soon as the Public Debt has been liquidated, that I be authorized, with the consent of the Council, to reduce by Proclamation the export duty on salt from $\frac{3}{8}d.$ to $\frac{1}{4}d.$ per bushel. In this respect I trust no misconception will exist, for the salt raker who supposes he is likely to be benefitted to the full amount of the reduction will be greatly mistaken, for this reduction will prove a direct and immediate gain to the purchaser; but, undoubtedly, it will create, hereafter, a brisker trade, a greater demand for salt, to be met by a corresponding increase of that staple product. It is to give a stimulus to the cultivation of salt, and to command a readier, consequently a more attractive market, that I propose to this council a progressive reduction of fifty per cent. on the export of salt produced at the Turks as well as the Caicos Islands. It is from a gradually increasing production of the staple product of the Colony in the salinas already sold during the present year and from others brought into cultivation since the separation of these islands from the Bahamas, all of which are likely to prove remuneratively productive in 1853, that I anticipate not only an increased revenue equal to that I propose to relinquish on

the export of salt, but, ultimately, a further reduction in the import duties on those provisions most in demand by the labouring classes, I allude more particularly to the duties on flour, corn, corn-meal, sugar, rice, molasses and salt meat. As, however, it may be, with misapprehension, that some members look upon an increased cultivation of the salt ponds as detrimental to their interests, to remove any erroneous opinion of this subject, I believe I have only to refer to the partial failure of the crop in 1851 as evidence of the necessity for increased cultivation to meet all probable demands on the salinas of these islands. No one can forget that vessels left these islands in ballast in 1851 to resort to other islands for salt. It is evident, therefore, that the salt produced at these islands is not, on an average, equal to the increasing demand, and that, to prevent a succession of unfavourable yearly crops injuring this market and driving away old customers, it is absolutely requisite to extend the cultivation of the ponds so as to provide a surplus crop for any deficiency in years of scarcity. If, ultimately, I am enabled, through the measures of my administration, to secure to the Presidency, the reputation of a salt market to be relied upon, during all seasons of the year, I may not erroneously anticipate that almost any vessel in want of a cargo of salt in these latitudes, and, aware of the fiscal liberality of this Colony, will prefer to come here, and, even to pay more, than to go elsewhere with the chance of procuring a cargo."

West Caicos.—As may be seen, in order to maintain a regular supply of the staple to meet the increasing demand, it became necessary to extend within the Presidency the area of ponds under cultivation, and Captain Forth's attention was directed to the possibilities of the large salinas of West Caicos which, if worked on sound principles, would not only meet the requirements of the case, but would become a valuable source for augmenting the Crown Funds. After a preliminary survey, in 1852, several hundred acres of the salinas in that island were offered for lease for twenty-one years.

It was not until 1857 that the work of bringing these salinas into profitable cultivation was undertaken by Mr. Winter, the energetic and enterprising United States Consul, who leased 100 acres at £1 an acre for 21 years, with option of renewal for a further term of 10 years at valuation, the lessee agreeing to lay a permanent railway from the salina to the sea, about 1,850 yards, which was to be used by the Crown or Crown tenants free of charge, and all railways, wharves, &c., constructed by the lessee were to revert to the Crown at the expiration of the lease. The ultimate fate of the enterprise is recounted in an address to the Legislative Board by Mr. Inglis, the President, in 1862.

"In December last (1861) information was received by me that, in consequence of the insolvency of the company formed

by Mr. Winter for the production of salt at West Caicos, their operations had been entirely suspended, and in the following February I considered it expedient to direct the Crown Commissioner to take possession on the part of the Crown of Mr. Winter's allotment, together with all the fixtures thereon, inclusive of the railway, in accordance with the terms of the lease. The position of the Company is stated to be the immediate result of the calamity into which the United States are plunged. But for this, it is said the company should now be in a state of prosperous progress, and, as a consequence, West Caicos a source of increased revenue and prosperity to the Colony, which it must eventually prove, notwithstanding the numerous unforeseen difficulties and delays already experienced in prosecuting this important enterprise." Unfortunately, the failure of the initial attempt was sufficient to deter others from embarking in an undertaking requiring considerable capital, and, it was not until about 1890 that the fortunes of West Caicos revived under another form of cultivation, sisal fibre.

Cockburn Harbour.—Although West Caicos did not prove to be the success anticipated, Cockburn, or East Harbour, in South Caicos was, in the meantime, being rapidly developed by the lessee of salt ponds in that island. The Caicos Islands had been originally colonized by loyalist refugees from Georgia after the declaration of independence by the United States. After the great hurricane of 1813, however, the islands seem to have been abandoned by the chief settlers, some going, with their slaves, to Grand Turk and the other West Indies, others to Florida. About 1838 a company was formed in Grand Turk to recultivate the salt ponds at East Harbour, but little progress was made until about the time of the separation, when the ponds were leased on a term of 20 years by Mr. N. T. Butterfield. In 1849 only 31,000 bushels were shipped from the new ponds, whereas, in 1862 nearly 500,000 bushels were exported, and East Harbour has now become the most important salt-producing settlement of the Dependency. In 1861 permission was given by the Secretary of State to extend to Mr. Butterfield, the lessee, the term of the lease to 99 years at the original rental, £240, on condition that the construction of a railway across the pond for general purposes was commenced in two, and completed in five, years.

Change from Leasehold to Freehold Tenure, 1862.—For several years following the establishment of independent government, the remunerative prices obtained for the staple product enabled the lessees of the salt ponds to carry on, even in years of absolute failure, as in 1855, the industry with a fair margin of profit. At the end of 1861, in consequence of two successive bad crops in Grand Turk followed by low prices in that year, many of the lessees were unable to pay the amount of their rentals. So critical did the situation become that a committee of the lessees at Grand Turk and Salt Cay

forwarded to the President a statement, showing the unprofitableness of salt raking at the then market price of 3½*d.* a bushel, and stating that they were only induced to continue the cultivation in the hope that relief would be afforded either by a reduction of the rentals or by the concession of a permanent title to the ponds. It was pointed out that the lease at Cockburn Harbour had recently been granted for a term of 99 years at a rental fixed prior to the cultivation of the ponds, and that the Bahama Government, in 1858, had defined the conditions upon which leaseholds in that Colony could be converted into freeholds. It was also confidently asserted that the Presidency as a whole would receive great benefit from the conversion into freehold tenure, because the owners would have security to borrow money for effecting the improvements necessary for the more economical working of the ponds, which would enable the future owners to meet the crisis. Knowing that the leases would terminate in the course of a few years, the lessees could hardly be expected to embark upon any expenditure beyond what was essential for the mere working of the ponds.

In consequence of an unfavourable response to their representation, a delegate, Mr. W. H. Gibbs, was elected, early in 1862, to proceed to England as the representative of the lessees of Grand Turk and Salt Cay to lay their cause before the Secretary of State, and to show that the leasehold tenure, as a system, had the disadvantage of discouraging improvement beyond a certain limit as it did not admit of free sale or mortgage, and that the rentals at the two islands were excessive. Later on in the year, the desired relief was granted, for an Ordinance, No. 9 of 1862, shortly afterwards amended by No. 9 of 1863, was passed for the conversion of the salt ponds at Turks Islands from leasehold into freehold and to provide for their management and other purposes. The preamble of the original Ordinance clearly states the reasons for, and the terms of, the proposed change, viz.: "Whereas, the Lessees of Your Majesty's Salt Ponds at Grand Turk and Salt Cay have for some time been desirous of obtaining a freehold title to their salt ponds upon fair and equitable terms, and it is considered that such a conversion would tend to the improvement and more profitable cultivation of the said ponds, And whereas Your Majesty has been graciously pleased through Alexander Wilson Moir, Esquire, Your Majesty's President of these islands, to declare Your Royal will and pleasure that such conversion of the tenure of the said ponds may be effected upon the Legislative Council of these Islands securing to Your Majesty, your heirs and successors in perpetuity the value of one-tenth part of all the salt exported from the Turks Islands to be applied in such manner within the Colony as Your Majesty, your heirs and successors shall deem most conducive to the general benefit of the Colony . . . . . ."

After the expiration of six months from the proclamation of the Ordinances, grants in fee simple were issued by the President to all lessees who had established their rights in the Supreme Court and who had paid off all arrears of rent due to the Crown in respect of any previously existing leases. Four Commissioners, two officials and two salt pond owners, were appointed, both at Grand Turk and Salt Cay, to fix and determine from month to month the market value of salt upon which a commutation for rental of ten per cent. *ad valorem* had to be paid on exportation. It is important to bear in mind that, by Sec. 1 of No. 1 of 1863, this royalty was quite independent of the then existing export tax and in addition thereto, for, since the abolition of the export tax in 1873, attempts have been made to misrepresent the royalty paid under these and subsequent Ordinances as an export tax, whereas it is a payment to the Crown for a specific concession. The Ordinance of 1863 prescribed that the market value of salt as fixed from month to month should never be placed at a lower rate than threepence halfpenny a bushel, and made it lawful for the President to extend, by proclamation, the provisions of the two Ordinances to any salt ponds or salinas which might be under lease in the Caicos Islands, and to appoint three commissioners with powers similar to those in the Turks Islands. The royalty paid upon the value of salt was constituted a Crown fund until 1873.

In their eagerness to obtain freehold tenure the salt pond proprietors agreed to take over the expenses of the maintenance and repairs of the watercourses, ponds, canals, roads and any property that could be used in common, and that a rateable proportion of the cost of such work should be levied by the Salt Pond Commissioners. All these expenses, under the leasehold system, had been defrayed from the Crown funds. To meet the deficiency in revenue to be caused by the new form of ownership, the Legislative Council assented to the increase of the export duty from the rate of $\frac{1}{4}d.$ a bushel, at which it had remained since 1852, to $\frac{1}{2}d.$ a bushel throughout the Presidency. The lessees and sub-lessees of Cockburn Harbour entered, through their representative in the Council, a strong protest on the minutes against the increase in the export duty which had been raised "to meet a contingency peculiar to Grand Turk and Salt Cay," the owners at these islands alone benefitting by the change of tenure. Ultimately, however, on the 1st August, 1864, the lessee and sub-lessees at Cockburn Harbour accepted freehold occupancy, agreeing to pay, in place of the annual rental of £240, the royalty upon the statutory value of the salt exported, on condition they were relieved of the obligations contained in the lease to construct a railway. It seemed short-sighted policy on their part to accept the change, for, after defraying the initial expense of constructing the railway, which would have materially reduced the cost of cartage, the rental was small in comparison with the amount of royalty payable on an

average crop of salt. No doubt financial embarrassment, combined with the consideration that the payment of royalty was only made as salt was exported, was an important factor in determining their decision.

Abolition of the Export Duty, 1873.—Although, owing to the unhappy struggle with the United States, many of the ports to which salt was generally exported were closed to the industry, and although the quantity exported in 1864 was considerably less than that shipped in the previous year, the value realized for the lesser export was increased by more than £8,000. The average price a bushel in 1864 was 5½*d.* as compared with 3½*d.* in 1863 and with the annual average of 4*d.* for the period of seven years ended 1862. In 1865 the average price realized was 5*d.*, and early in the following year the President was able to inform the Legislative Council that the public debt had been liquidated and that, "the financial results of 1865 gave a basis for calculation as to the success of the new freehold tenure, that year having been the first during the whole of which a uniform contribution of ten per cent. of the value of the salt exported had been collected from all parts of the Colony, and from all quarters I hear of the relief experienced by the proprietors owing to the arrangement and of the general satisfaction expressed at the fair and equitable adjustment and method of calculation." With the high prices then ruling and with permanent titles to their ponds, a bright future seemed assured to those engaged in the salt industry, when all calculations as to the benefits to be derived from the recent changes were upset by one of those awful and dramatic visitations which periodically devastate the West Indian Islands. The hurricane of the 30th September, 1866, inflicted a loss of £74,000 upon the salt pond owners and left them in a state of financial embarrassment, from which they hardly recovered. Moreover, a fall in prices, coincident with the disaster, and a heavy duty upon salt imported into the United States was imposed. In the hope to obtain relief in their distressed circumstances, the proprietors set on foot a movement for the reduction or abolition of the export duty, then ½*d.* a bushel. A scheme, prepared by the President for meeting the deficit, which would have been caused by the adoption of their proposals, by the imposition of direct taxation on property, was unanimously rejected as unacceptable to the people as a whole by the unofficial members of the Council, who, in turn, moved a resolution stating "the future welfare of the Colony, in which that of our constituents and of ourselves is bound, imperatively demands the repeal of the export duty on salt—that the tax might be got rid of altogether by reducing expenditure and by putting back on the Crown funds the amount now paid from the general revenue for certain salaries."

Finally, a compromise was arrived at by reducing the export duty for 1869 from ½*d.* to ¼*d.*, without the substitution

of equivalent taxation or retrenchment to meet the inevitable deficit, the unofficial members promising, however, to raise the duty if the reduced rate produced a decrease in the revenue. Besides the natural shrinkage in revenue in consequence of the reduction of the export duty and of the unfavourable years for the staple industry, the public expenditure, based on the estimates of former years of growing prosperity immediately succeeding the separation from the Bahama Government, had increased to such a degree that it could not be met by ordinary revenue. To make up the deficit, sums were borrowed from the Crown funds in aid of general revenue and were afterwards remitted by the Lords of the Treasury, and, in 1870, an Ordinance was passed authorizing the raising of a loan of £2,000 for the same purpose. At the same time, the President had to remind the unofficial members of their promise to increase once more the export duty to ½*d.* to meet the liabilities of the Colony, which amounted to £1,850. Strenuous opposition was offered to the Ordinance passed to make export duty ½*d.* a bushel. In spite of those measures, which, though of some immediate service and of still greater prospective benefit, proved totally inadequate to restore permanent equilibrium in the finances, matters drifted from bad to worse. At a public meeting, held at Grand Turk in 1872, resolutions were passed representing the deplorable and impoverished condition of the inhabitants of the Colony and the immediate necessity for general retrenchment in order to avert the impending commercial ruin. The fact had become evident that the independent form of government in 1848 had imposed upon the islands a civil establishment, with other heavy responsibilities, far beyond what could be met by moderate taxation. In alluding to the financial crisis, the Secretary of State wrote, " Apart from the growing inability of the public revenue to meet a public expenditure which arose in more prosperous times, the expenditure in the aggregate—£10,000 to £12,000—in a Colony with a population less than 1,500 appears in itself extravagant."

That the salt industry was in an extremely critical condition about the beginning of 1873 may be gathered from the pessimistic remarks made by the President to the Legislative Council. " As regards the salt industry of these islands, I may mention that the amount of salt exported during 1872 was 1,831,010 bushels against 1,283,264 bushels in 1871, being an excess in favour of the trade for the year 1872 of 574,746 bushels, as compared with the previous year. This statement, though seemingly favourable, does not correctly show the true position of our trade, for I regret to say that the price of salt has not been nearly as remunerative during 1872 as it was in the year previous, notwithstanding the great reduction made by the United States on the duty on foreign salt imported into that country. There is no doubt that such reduction has increased the demand for our staple, yet while com-

petition in the sale of salt is so keen amongst the salt pond proprietors, owing to the reduced circumstances in which they find themselves placed, any important rise here need not be expected; moreover, the trade of our staple, conducted on the system it is at present, and the salt ponds divided as they are into such small interests that they can by no possibility yield any profits, militate considerably against any rise in its price, and it is much to be feared that, until the total abolition of the import duty on salt in the United States is effected, the present depression will continue; hence, the more reason that every effort should be made to reduce the expenditure of the Colony to its lowest possible limit, consistent with the welfare of all classes of the community."

Change of Constitution, 1874.—The stern necessity for applying an immediate and a drastic cure, whereby the islands would be free from the incubus of debt and placed on a sound financial footing, had thus become manifest to government and people. In 1872, the Governor-in-Chief of Jamaica, Sir J. P. Grant, had already paid a visit to Grand Turk with a view of examining into the condition of the Colony and of reporting upon measures whereby taxation could be diminished and expenditure reduced. As the situation became acute early in 1873, His Excellency paid a second visit to initiate changes essential for the future welfare of the islands. During the latter visit, the Legislative Council adopted an address beseeching Her Majesty to take measures as might be advised for the abrogation of the existing constitution and the annexation of the islands to Jamaica, so that they might be under the immediate control of that Government. In accordance with the prayer of the address, the elective system of legislature was abolished and the Turks and Caicos Islands became a Crown Colony and a dependency of Jamaica from the 1st January, 1874. In anticipation of the radical changes in the form of government and in the various departments thus contemplated in order to effect economy in the administration, an Ordinance, No. 1 of 1873, was passed to give immediate and much desired relief to the struggling salt owners by abolishing from the 1st March, 1873, the export duty on salt, amounting on an average to £2,800 a year. In order to reduce the expenditure caused by the abolition of the duty retrenchments aggregating nearly £2,000 a year were made in the civil establishment, and, later on, the Crown funds, about £2,800 a year, were placed, permanently, to the aid of the general revenue. How necessary and opportune these measures were, may be judged from the fact that in the year of the abolition of the export duty, 1873, the revenue fell from £10,864 to £5,097.

Legislation from 1873 *to the present day.*—Under the Ordinances granting freehold tenure in 1863, it will be remembered that the Salt Pond Commissioners were empowered to demand rates, where necessary, from the proprietors for the

maintenance of canals and other works used in common. It was to the interest of the Government, since its revenue depended largely upon the royalty payable upon the amount of salt exported, to see that these works were maintained in an efficient condition so as to ensure as large an output as possible. From financial and other causes, great difficulty was experienced in collecting these rates, and the Commissioners were consequently reluctant to run the risk of incurring even necessary expenditure on the maintenance of these works, and improvements were never initiated. As soon after the introduction of the freehold tenure as 1866, the President had to remark that "the only portions of Ordinances Nos. 9 of 1862 and No. 1 of 1863 which have not effected all that can be desired are those having reference to the salt pond roads, which continue in anything but a creditable condition. Very few have been repaired, and those which have received any attention have been mended in so unscientific a manner that the labour expended will soon be lost." As no amelioration was apparent in this respect, it was found necessary in 1879 to pass for five years, an Ordinance (No. 1 of 1879) to impose a small additional tax, not to exceed 12½ per cent. at Grand Turk nor 10 per cent. at Salt Cay or Cockburn Harbour of the royalty paid on the salt exported, for salt pond works and improvements. A further measure of relief was given, under the same Ordinance, by fixing the statutory value of salt at 3½*d.* a bushel instead of its being subject to monthly valuation according to the current price of salt. At the expiration of the five years, a continuation Ordinance, No. 7 of 1884, was passed for a similar term of years, limiting throughout the Dependency the rate of the maintenance tax to 10 per cent. of the royalty and determining the statutory value to be at the rate of 3½*d.* a bushel, or at such lower rate as the Governor might proclaim on the 1st April of each year. The Ordinance after 1889 was from time to time further continued in force until 1896, when it was deemed expedient to confirm the existing provisions for the maintenance and improvement of the property used in common by the salt pond proprietors and to simplify and consolidate with certain necessary alterations and amendments the different laws dealing with the ponds, the measure, especially in those sections relating to the amount and enforcement of the maintenance rate of the common properties in the salinas and to the liabilities of proprietors for neglect to keep their allotments in good order and condition for the proper making and production of salt, was only passed after strong opposition from the unofficial members, who considered the Ordinance as an infringement on the rights of the freeholders. The Ordinance, No. 4 of 1896, remains in force until the present day, and regulates all matters connected with the salt ponds, although, in 1907, two Ordinances were passed to reduce temporarily, in view of the distressed condition of the industry, the

statutory value on which the royalty is payable on salt exported from 3½*d.* to 2*d.*

Fishery Salt.—In 1874, the question of manufacturing fishery salt occupied the attention of the salt producers of the Dependency, and, later on in that year, a steam machine capable of grinding with comparative ease 10,000 bushels a week was imported at Cockburn Harbour, and other machines were soon afterwards in operation at the other settlements. The advantages contemplated by the use of this machine were speedily realised, for the quantity of fishery salt exported in 1875 amounted to 180,000 bushels, valued at £3,528. The quantity exported for the British North American fisheries was in 1876 and 1877 12½ per cent. of the total shipments of salt, while the average for the period of four years, ended 1881, was about 22 per cent., and, in 1893, more than a quarter of the total value of salt exported was of this description. In 1895, however, the quantity fell to 80,000 bushels, a decrease attributable almost entirely to the financial crisis in Newfoundland. Although this trade has never resumed its former dimensions, the average annual export of fishery salt has amounted to nearly 300,000 bushels, or about 17 per cent. of the total quantity of salt exported.

Period from 1873 *to the present day.*—From 1873, the date of the abolition of the export duty to the present day, the salt industry has passed through the vicissitudes incident to all trades dependent for success in production upon the changes and chances of the weather and upon the fluctuations of prices obtainable in their chief markets. The obstacles and disheartening experiences to be surmounted did not decrease as time wore on. The year 1879 was, perhaps, the worst ever known for salt raking; for, while the average annual shipments at that period might be roughly estimated at a million and a half bushels, little more than half a million bushels were shipped in the twelve months. At the same time, the Commissioner had also to point out that "the competition of the Mediterranean salt, the high protective duty in the United States, and the growing scarcity of sailing vessels, with the increase of steamers in the West Indies, are telling, one and all, upon the export trade of the settlement."

Hopes of better days were raised in 1894 by salt being placed on the free list of the United States tariff, only to be shattered by an Act of 1897, by which salt was once more made dutiable, being taxed at the rate of 3d. a bushel. The year 1897 showed a record shipment of salt, more than two-thirds of the total quantity (2,223,000 bushels) exported being sent away in the first six months owing to the anxiety of the producers to take advantage of the short time which remained for free importation. Since 1873, prices, too, have, in consequence of increasing production elsewhere

and consequently keener competition, shown no improvement, but, on the contrary, have manifested a steady downward tendency. In 1899, for instance, owing to the large quantities on hand and the anxiety of the salt pond owners to dispose of their produce, the prices fell as low as 2·78*d.*, while, of late, even lower prices have been accepted. In an endeavour to insure prices at least equal to the cost of production, an agreement was, in 1900, arranged among the salt pond owners fixing the price to be accepted at a minimum of 3*d.* a bushel. As this agreement, was, however, merely an arrangement for mutual accommodation and was not embodied in legal form, it could not stand the test when conditions at hand rendered local competition possible, and did not remain in force for a sufficient length of time to enable the salt pond owners to recover from the low prices at previous years when most of them had been reduced to a serious state of financial embarrassment. The present critical condition of the industry was precipitated by the abnormally wet seasons of 1904 and 1905 and the first six months of 1906. How serious the crisis became may be gathered from the fact that, for three successive years, the number of bushels exported amounted to little more than one half of the average annual shipments; while, at Grand Turk, the yield for 1904 was 80,000 bushels, compared with an average raking of nearly 600,000 bushels. The inability on the part of the salt pond owners to meet the demand caused the purchasers at the principal markets to seek fresh sources of supply, especially in the Trapani district of Sicily, so that, when more favourable seasons recurred and abundant salt was on hand for shipment, little or no demand for local salt existed. In consequence of this diversion of trade, it became, as months went by, painfully apparent that exceptional measures were imperative to aid the salt pond owners to cope with the worst crisis these islands had ever experienced. At a meeting of the Legislative Board, held in June, 1907, a resolution was unanimously passed by the unofficial members praying that, in view of the depressed and uncertain state of the staple industry, the Government be prepared to make a substantial reduction in the statutory value of salt on which the amount of royalty was based. This urgent representation, supported by confidential reports from the majority of the salt pond producers resulted in ordinances being passed for the temporary reduction of the statutory value of salt from 3½*d.* to 2*d.*, the deficit in the revenue caused thereby being met partly by retrenchment in the cost of the administration and partly by a temporary increase of the duty upon goods imported into the Dependency. Although, as in 1873, after the abolition of the export duty, the producers did not benefit to the full amount of the royalty, they were, nevertheless, enabled to offer their salt at a price which placed them in a position to compete

with and regain in part the trade lost in the wet seasons immediately previous from their formidable rivals of the Mediterranean.

Taught by the lessons of the past, the salt pond proprietors are endeavouring to bring about once more an agreement whereby those engaged in the industry can dispose of their produce at fairly remunerative prices. Various difficulties have arisen to prevent the realization of this most important measure, intended to avert the production of salt at prices which can only result in ultimate ruin to the majority of those now working the ponds. The past history of the industry throws valuable light upon the folly of isolated action and of inability from selfish motives to act in concert for the common good, and its future, so far as the present owners are concerned, lies in the question whether, notwithstanding selfish and momentary considerations, they can combine in loyal co-operation to prevent the concentration of the ponds in the hands of one or two proprietors.

PART III.

The Making of Salt and the Present Condition of the Industry.

General Remarks.—Common salt, or simply salt, is the name given to the native and industrial forms of sodium chloride. The consideration of this important substance, naturally, falls under two heads relating to sea or "bay" salt and "rock" or mineral salt, respectively. As actually found, the one is probably derived from the other, most rock deposits bearing evidence of having been formed by the evaporation of lakes or seas at former, often remote, geological periods. This is seen from their stratified nature, with interposed beds of clay, which could only have been deposited by solution. The proportion of the sodium chloride in the water of the ocean where it is mixed with small quantities of other salts is, on an average, 33·3 per thousand parts, ranging from 29 per thousand in polar seas to 35·5 or more at the equator, and it constitutes, approximately, four-fifths of the solid matter found in sea water.

Process of Salt making.—The process of making salt in the Turks and Caicos Islands is that of solar evaporation, the hot sun and strong winds furnishing, in the absence of rain, almost perfect conditions for the industry. The portions of

land suitable and intended for the production of salt are called salinas, which are levelled and the foundations made firm by stones, clay, or mud, so as to prevent the percolation of water. The salinas are then partitioned off into several sets of large basins, with sufficient fall from one set to the other to cause the water to flow slowly through them; but the flow has, in the majority of cases, to be accelerated by wheels turned by hand or by windmills and aermotors.

There are about 230 acres of salt ponds and pans at Grand Turk, 120 at Salt Cay, and 400 at Cockburn Harbour, or 750 acres in all. The ponds vary in size, some being as large as 5 acres, while the pans are preferably from one quarter to one acre in area, for purposes of economy in space.

At Grand Turk and Salt Cay the sea passes through sluices entering by wide canals into the common storage reservoirs and then into the private reservoirs or ponds, where, after certain impurities have been precipitated by the process of evaporation, the brine or pickle is turned into the pans at, or approaching, a point when salt crystals begin to form. At Cockburn Harbour the water from the sea before being emptied into the common reservoir is gathered through what is called the "Boiling hole," a subterranean passage from the sea through which the salt water ebbs and flows into a large basin, the quantity being regulated by a system of trap-doors.

To save expense in carting, the pans are, as a rule, made as near the shipping places as possible. The strength of the pickle or brine is tested by salometers and Beaume's hydrometer, the density of sea water when it enters the common reservoir being 10 by the salometer. To understand the making of salt, it will be well to trace through its various stages the process adopted at Cockburn Harbour, where the ponds and pans are of more recent construction and on more approved plans than those at the other settlements at which the ponds were not laid out so symmetrically owing to the former, and even present, multiplicity of owners, and also to the configuration of the natural saline.

The water from the sea, having passed through the basin into the common reservoir, remains there until it reaches 30 by the salometer, gaining, under favourable circumstances, two degrees a day. At this stage, vegetable matter in suspension, but not lime, is perceptible. The water, which is slightly darker than sea water, is, upon arriving at 30, turned into what is termed the

Weak, or No. 1 ponds, where it remains until the salometer indicates 60. In this set of ponds evaporation is very rapid, vegetable matter being deposited in large quantities and the pickle turning a saffron hue. By the time the brine

has reached the strength of 60, the water has been reduced in quantity more than one-half of the original sea water, and is then passed into the

Strong, or No. 2 ponds, where, in about 20 days, the strength is increased to 90. At this point, the pickle, which is of a pinkish colour and is one-sixth of the original quantity of sea water, has been freed from the lime it contained and is pure brine fit to be converted by further evaporation into pure salt. At Grand Turk and Salt Cay there is only one set of ponds. At Cockburn Harbour, however, it is even proposed to establish a third set for holding in solution the salt at making point (110) so that the salt can be crystallized, with the least possible delay, as required, but, at present, the pickle is turned off from the strong or second pond into the

Making Pans.—The process of evaporation, especially where, as at Cockburn Harbour, the pans are deep, now becomes less rapid. In 10 to 15 days the salt commences at 110 to granulate round the margins and bottoms of the pond. After 20 to 25 days more, it is ready to be raked. If the pickle is allowed to remain after it has reached 30 by the hydrometer (equal to 120 by the salometer), the pickle, having deposited the sodium chloride, commences to deposit other substances likely to injure the pans and to produce what is locally known as "disease." Where the ponds are deep enough, the salt can be held over until the following season by allowing the pickle above a certain strength to cover, after one or more changes, the salt for which it serves as a natural store-house. As soon as the salt is to be raked, the pickle is turned into the weak pond, or into the strong pond, should there be a scarcity of brine.

It is customary, at Cockburn Harbour, whenever funds admit, to clean the first set of ponds every other year, and the second set about every tenth year, but this depends upon the depth, for it is considered that the ridges of lime deposits, provided the ponds are not allowed to become too shallow for the pickle required, aid in accelerating evaporation, especially during the prevalence of high winds. The pans are cleaned partially after every raking, that is, three or four times a year, and thoroughly once a year.

Salt Raking.—As soon as salt has crystallized in the pans, it is gathered by men, first using toothed rakes for separating the crystals and afterwards wooden rakes, 22 inches long with handles from 6 to 7 feet in length, into small piles and afterwards carried in carts to plots of land locally known as deposits, the soil of which has been hardened by a foundation of lime deposit called "scale," and heaped in large mounds awaiting shipment. These deposits which are easements of the different ponds, were originally laid out by

the Salt Pond Commissioners about 1837, and were not much used until 1840, about the time animals were first employed in carrying the salt. Prior to this time, the salt was deposited near the ponds and brought to the shipping place in tubs and wheelbarrows. Even wheelbarrows were of late introduction. The story goes that the first owner to use barrows was surprised the morning after the arrival of the first consignment to find his slaves marching past in solemn procession with the wheelbarrows filled with salt poised gracefully on their heads!

The average quantity of salt raked annually from an acre of pans at Grand Turk and Cockburn Harbour may, under favourable circumstances, be estimated at 4,000 bushels; at Salt Cay, where the pans are shallow, at 5,000 bushels.

The wages for a man raking salt are 3*s.* a day, while 5*s.* to 7*s.* is paid for the hire of a mule and cart.

Shipping of Salt.—When a vessel arrives for a cargo, the salt is taken from the deposits, placed in bags containing half a bushel, carried on board in lighters carrying from 3 to 8 tons, and emptied into the hold from the bags which are sent ashore to be refilled. A lighter can, if necessary, make 10 to 12 trips a day, and, when worked by 10 men, will ship 1,200 to 2,200 bushels a day. The method of working the lighters and the payment of those employed are peculiar, and differ in the three settlements as follows:—

Grand Turk and Cockburn Harbour.

To each lighter there are 22 men and women engaged, namely,—

10, including a captain for the lighter;
3 shovellers at the deposit;
6 women, for holding and filling the bags;
2 (sometimes 3) cartmen;
1 shore captain.

For each load, f.o.b., every man in the lighter receives 6*d.* (the captain 9*d.*), while every man or woman ashore is paid 3½*d.* a load, at times 2*s.* 6*d.* for 8 loads.

Salt Cay.—There are 5 to 8 men to work the boat:—

2 shovellers;
2 cartmen;
3 to 4 women to tie the bags.

The price paid for each bushel shipped, f.o.b., is 1⅝ to 1¾ cents., two-thirds of which go to the crew and labourers and one-third to the owner of the boat and bags. The two-thirds paid to the crew and labourers is divided into shares, each man receiving one share, a woman three-fourths of a share, and a boy one-half.

NOTES AND STATISTICS CONNECTED WITH THE SALT INDUSTRY.

(A.) General Notes:—

28 to 40 bushels, dead-weight, are equal to 1 ton.

30 to 50 bushels, measurement, according to the build of the vessel, equal 1 ton.

A bushel of coarse salt weighs from 75 to 80 lbs.

A bushel of fishery salt weighs 90 lbs.

A bushel of salt contains 35 imperial quarts.

A barrel of salt in the United States contains 280 lbs.

(B.) Fishery Salt:—

About 300 bushels of salt can be ground in an hour by the aermotors and steam machines locally used.

The shrinkage of salt during the process of grinding is estimated at from 5 to 8 per cent.

The cost of grinding by aermotor is $\frac{1}{2}d.$ to $\frac{3}{4}d.$ a bushel, and, when steam is used, $\frac{1}{4}$ cent. ($\frac{1}{8}d.$) should be added for engineer, stoker, wood, and water.

(C.) Average number of bushels of salt exported annually from the several settlements during the period 1849-1907:—

	Bushels.
Grank Turk	573,013
Salt Cay	440,849
Cockburn Harbour ...	429,207
Total ...	1,443,069

(D.) Average annual value of salt exported during the period 1849-1907—£24,431.

(E.) Average quantity of salt exported annually to the different markets for the period 1888-1907:—

Country.	Average number of bushels.	Percentage of total exports of salt.
United States	1,265,169	77·6
Canada	263,454	16·1
Jamaica	26,172	1·6
San Domingo	22,411	1·4
Hayti	20,172	1·2
French North America ...	17,809	1·1
South and Central America	7,946	·5
West Indies other than those above-named ...	5,005	·3
Bermuda	1,704	·1
Newfoundland	472	·1
Total	1,630,314	100

(F.) Average price of salt(1) for the periods below mentioned:—

Period.	Average price in cents a bushel.
1849-1862(2)	12·08
1863-1872	9·04
1873(3)-1882	8·24
1883-1892	7·44
1893-1902	6·58
1903	6·28
1904	7·14
1905	7·32
1906	6·56
1907	5·58

(1) Inclusive of fishery salt.
(2) Change from leasehold to freehold tenure.
(3) Abolition of export duty.

The highest average price a bushel in a year since 1849, was 24·14 cents in 1855; the lowest, 5·56 in 1899. The present price for coarse salt is 5 cents ($2\frac{1}{2}d.$); for fishery salt, 7 cents ($3\frac{1}{2}d.$)

(G.) Cost of Production of Coarse Salt:—

In 1871, when the question of the abolition of the export duty was under consideration, the estimates of the cost of production were obtained from most of the leading owners of the salt ponds, and the following table, showing the average cost for a bushel, f.o.b., was prepared:—

	Cents.
Putting pond in order, raking, and carting salt	3·50
Salt house rent, or its equivalent, in loss by rain	1·00
Boatage	1·50
Royalty	1·00
Export duty	1·00
Amount for personal services, interest on capital	1·50
Total	9·50

At the commencement of the present year, 1908, a confidential circular was sent to the principal proprietors asking for their estimates of the present cost of production, and, from the replies received, I have selected ten estimates as fairly representing what the actual cost is under present circumstances. It must be remembered that the cost of production varies according to the distances of the ponds and pans from the shipping places and to many other local

conditions, and that is the reason why some of the owners have furnished two calculations, a minimum and a maximum estimate.

These estimates do not include the purchase money of the ponds nor the interest paid on advances, &c.

Table showing estimates of the average cost of production of a bushel of salt, f.o.b., in cents (a cent = ½*d.*):—

Details of Expenditure.	Grand Turk.		Salt Cay.		Cockburn Harbour.					
			3.						8.	
	1.	2.	Minimum.	Maximum.	4.	5	6.	7.	Minimum.	Maximum.
1. Cleaning ponds	1·00	·20	·25	·25	·25	·15	·15	·25	·25	·25
2. Repairs to, and general upkeep of, ponds.		·05	·15	·15	·15	·10	·10	·10	·10	·10
3. Raking		·48	·25	1·00	·36	·25	·25	·25	·25	·25
4. Cartage and trimming.		·96	·62	1·74	·72	1·35	1·12	3·00	1·00	1·80
5. Boatage	1·50	1·68	1·50	1·75	1·60	1·30	1·25	1·75	1·75	1·75
6. Cost of management.	1·00	·28	—	—	—	·50	·50	·20	·50	·50
7. General upkeep of buildings, animals, loss by rain.		·20	·65	·80	·60	·35	·35	·35	·35	·35
8. Royalty (under present reduced rate).	·40	·40	·40	·40	·40	·40	·40	·40	·40	·40
9. Maintenance fund	·07	·07	·07	·07	·07	·07	·07	·07	·07	·07
Totals	3·97	4·32	3·89	6·16	4·15	4·50	4·19	6·37	4·67	5·47

Mean average cost of production = 4·77 cents, or about 2⅜*d.*

(H.) As the United States take more than three-fourths of the salt produced in these islands, the following comparative statement of the salt produced in that country in the years 1880 and 1906 will be of value, as indicating to what extent the United States have, during the interval between those years, become independent of foreign sources for their supply of salt.

Supply of salt for domestic consumption in the United States in barrels (barrel = 280 lbs.) in 1880 and 1906:—

Source.	1880. Barrels.	1906. Barrels.
Domestic Production ...	5,961,060	28,172,380
Imports	3,427,639	1,247,367
Total Imports ...	9,388,699	29,419,747
Exports	4,436	242,774
Domestic Consumption ...	9,384,263	29,176,973
Percentage of Imports to total Consumption... ...	36·5	4·3

GENERAL REMARKS ON THE PRESENT SITUATION OF THE SALT INDUSTRY.

It is well at the present crisis to consider carefully all the conditions connected with the salt industry, first, those favourable to successful results, and, secondly, those adverse to remunerative cultivation.

Conditions favourable to the Industry.—Among the conditions *favourable* to the profitable working of the ponds are:—

(1.) *Ideal climatic conditions.*—Unless a "dripping season" happens to occur, the strong winds and hot sun prevalent for two-thirds of the year are of material assistance in accelerating the process of evaporation. The average annual rainfall for the period 1893-1899 was 24·61 inches; that for the period 1900-1902, 26·85; while that for the three succeeding years, 1903-1905, was as much as 40·80, which was disastrous to the industry. Fortunately, the annual rainfall has returned to more normal figures, registering 28·36 and 28·49 in 1906 and 1907, respectively.

(2.) *Good quality of the salt produced in these islands.*—The extract, given below, from a report of an analysis of Turks Islands salt, show that the salt raked in the Dependency is equal in purity to any produced elsewhere:—

IMPERIAL INSTITUTE.

(South Kensington, London, S.W.)

Report on Salt from the Turks Islands, by Professor Wyndham R. Dunstan, M.A., F.R.S., Director.

The sample of salt was brought to England by the Commissioner of the Turks Islands and was received at the Imperial Institute in October, 1905. The salt prepared in the islands is said to be in great demand in the United States as a preservative and the present sample was described as "an exceptionally fine specimen."

The sample consisted of one pound of salt in colourless crystals of the size of the "fishing salt" used for fish-curing. Unlike many salts of commerce, however, there was a *complete absence of deliquescence or agglomeration.*

The salt has been analysed in the Scientific and Technical Department of the Imperial Institute, and the results obtained are given in the following table, which also includes analyses of representative commercial white salts and sea salts for comparison. An analysis by Goessman and Porter of coarse

salt from Turks Islands is also available and comparison with this shows that the *salt produced at the present time is much purer than was formerly the case.*

None of the recorded analyses of English salts show such a high state of purity as the present sample from the Turks Islands.

—	English.		American.	Sea Salts.		Turks Islands.	
	Cheshire stoved.	Marshall's.	Anondaya.	St. Unes Portugal.	Cadiz.	Analysis previously recorded.	Present sample.
Sodium Chloride ..	98·25	98·40	97·31	96·50	92·11	96·76	99·24
Calcium „ ..	0·02	—	0·05	—	—	—	0·22
Magnesium „ ..	0·07	—	0·05	0·32	—	0·14	—
Potassium „ ..	—	—	—	—	—	—	trace
Sodium Sulphate ..	—	0·11	—	—	—	0·64	—
Calcium „ ..	1·55	0·89	1·05	0·88	0·33	1·56	0·02
Magnesium „ ..	—	0·03	—	0·25	0·99	—	0·01
Insoluble matter ..	—	0·05	—	0·10	0·27	—	0·05
Water	—	0·49	1·54	1·95	6·30	0·90	0·10
Iodine and bromine	—	—	—	—	—	—	trace

No borates or nitrates were present in this sample of Turks Islands salt. Its preservative qualities therefore depend entirely upon the sodium chloride present and the sample is remarkable only in respect of its exceptional purity.

In former years, the United States army and navy contractors for salt provisions were required by the terms of their contracts to furnish meat preserved by Turks Islands salt. Much of the salt sold as Turks Islands salt has, however, never seen these shores, but it would be difficult to devise means for protecting purchasers so long as the salt is shipped in bulk, more particularly as there is no local analytical chemist to guarantee the quality and purity of the salt exported. How dependent for the sale of their produce the pond owners are upon their ability to produce pure salt is emphasized by Mr. Douglas Young, my predecessor, in his report on the year 1902, when he states: "Were it not for the excellent preserving properties of the Turks Islands salt, the staple industry of these islands would have long ere this been in a far more disturbed state than to-day. As long, however, as the 'packer' safeguards his interests by the use of Turks Islands salt, so long will there be a demand for the staple product of these islands."

(3.) *Proximity to the principal market.*—As these islands are within two weeks' sail of the chief ports importing salt for the United States, the purchasers are not under the necessity of placing their orders at so distant a date or for such large quantities as in the case of those for the Mediterranean. These sailing vessels can, without transhipment, discharge their cargoes of salt in small quantities, as required, at the different ports where it is in demand, whereas the

Mediterranean salt, usually shipped in large quantities and in large steamers, has to be warehoused, which adds considerably to the expenses of importation, to await distribution as sales are effected.

Conditions unfavourable to the Industry.—Among the conditions *unfavourable* to the production and export of salt raked in these islands are:—

(1.) *The Import Duty equivalent to 3d. a bushel imposed upon salt imported in bulk into the United States.*—This duty, as will be observed, is more than the total local cost of production and shipping expenses, f.o.b. When salt was placed on the free list, the percentage of imports to the total consumption in the United States had fallen from 36·5 in 1880 to 9·49 in 1893, and the immediate effect of the removal of the heavy protective duty was to raise the percentage of imports to 12·78 and 11·88 in 1895 and 1896, respectively. With the re-imposition of the duty the percentage of the imports of salt has again steadily declined, until, in 1906, it has fallen as low as 4·3, the United States providing 95·7 per cent. for its own consumption. In the statement (H.), above given, it will also be remarked that not only did the United States produce what is practically the whole of their consumption, but were also able to increase their exports from 4,436 barrels in 1880 to 242,774 barrels in 1906, which latter quantity is equal to two-thirds of the salt annually exported from this Dependency to the United States. Although the quantity of domestic salt produced in 1906 was greater than for any previous year on record, the increased production has not been followed by a corresponding rise in value, which is due in a large measure to over-production and close competition, rendering the trade in many instances unremunerative and resulting in combinations in the chief salt-producing states of New York, Ohio, Michigan, Kansas, Utah, and California. It will be readily realised that, under these circumstances, the difficulty experienced by these islands in finding a profitable sale for their produce in what is practically their only market for coarse salt, has increased year by year, until the margin of remunerative cultivation has been reduced to a minimum even in favourable seasons and in ponds favourably situated and economically worked.

(2.) *Uncertainty of the local supply of salt.*—In his annual reports for 1886 and 1889, Captain (now Sir H. M.) Jackson gives the following vivid descriptions in miniature of the uncertainty attending the cultivation of salt and the situation to be met in years of heavy rainfall: "The salt industry is perhaps the most uncertain that could be found, as a single day's rain in the raking season will reduce the crop by one-fourth, and yet, as it has hitherto been the only possible industry in these islands, the merchants have gone struggling on, barely keeping their heads above water in an average year, and in a good year tormented with the

prospect that it may be followed by what is termed a 'dripping season,' which will swallow up all their hardly-earned profits." "The salt crop was (1886) much below the average, as little over a million bushels were raked. This was owing to a 'dripping year,' constant heavy showers occurring when the salt raker looks for dry weather with high winds and bright sun. The heavy rain in January and February prevented the gathering of the spring crop which the salt raker counts upon getting before the April rains; and, instead of raking being carried on into November, as has sometimes been done, September proved so wet as to finish the season."

The extensive building of storehouses was advocated by Captain Campbell, but it would now be impossible to expect the present owners in their embarrassed financial position to incur an outlay, even if it would have the ultimate benefit of preventing the heavy loss by rain. The exposure of the salt when raked to the weather means at least 10 per cent. loss in an average year at the deposits, and this heavy percentage is largely increased in abnormally wet seasons. This absence of protection against rain contributes to make it impossible for the pond owners to meet what demand there may be for the salt of these islands, and the dealers in the United States and elsewhere have to look for fresh sources of supply, and then the Mediterranean and other salt producers find an opportunity to establish markets in competition with Turks Islands salt. Long ago, Captain Forth pointed out that, in consequence of the uncertainty of the supply in unfavourable years, "Large quantities of European salt were forced into the ports of the United States and British North America in ships of large tonnage, carrying in the first instance cargoes of the various products of the western world and returning more or less with salt, frequently for the purposes of ballast, obtained in Europe at nominal cost and transported at a freight equally nominal." As soon as favourable seasons recur, after the trade has thus been diverted, the local producers have almost invariably to sink the price of salt exported from these islands in order to regain the market.

(3.) *High wages for the labourers engaged locally in all branches of the industry.*—As long intervals of non-employment occur frequently when the seasons prove adverse to salt raking, those employed have, as a natural consequence, to be paid comparatively high wages, especially as there is no subsidiary industry in which, during these periods of inactivity, employment could be given. There is not, moreover, as in most of the other West Indies, sufficient land suitable for cultivation on which the labourers can raise stock and ground provisions for their subsistence. With the exception of a meagre supply of poultry and eggs, together with the cattle slaughtered after they have become useless for any other purpose, the food consumed in these islands is

imported, even fresh milk being an almost unheard of luxury. Although an Ordinance, No. 3 of 1881, was passed to prohibit the payment of wages in goods or otherwise than in the current coin of these islands, it is an open secret that payments to the labourers are made largely under the truck system, the majority of the salt pond owners having stores. As there has never been a conviction under the Ordinance, it may be presumed that little or no hardship is inflicted upon the labourer, who is always able, when out of work, to obtain food and clothing from his employer. Were the proprietors to discontinue making advances in kind to those they employ during unfavourable seasons, the Government would often be called upon to face the problem of maintaining nearly the whole population of able-bodied men and women, who otherwise would have to choose between starvation and emigration. It is also doubtful whether the owners, more particularly at the present crisis, could carry on the cultivation of the ponds without the small profits accruing from the store. In dealing with the precarious livelihood derivable from the salt raking, Captain Jackson pertinently remarked in one of the reports already quoted, "It is not too much to say that but for the store, which is the necessary adjunct of every merchant's business here, no salt raker could pay his way, and those among them who have attained to even the most modest competence have done so by what they have taken across the counter, not by what they have gathered from the ponds."

(4.) *The absence of by-products from salt.*—Bromine is derived from brine in several salt-producing centres of the United States, but, although there has, of late years, been a gradual increase in the quantity of bromine produced, the value has, owing to large importations from Germany, fallen so much that there is little or no profit in the production. Under these circumstances, it is manifest that, even if the means for producing bromine were available in these islands, no relief to the industry could be expected in this direction.

(5.) *Division of ponds into too many interests.*—The effect of the head-right system was to subdivide the ponds at Grand Turk and Salt Cay into numerous small properties, which prevented them being laid out on large and systematic plans. As prices about the middle of last century remained high enough to enable most of the small owners, with careful management, to cover the cost of production, even the change of tenure from the head-right system into leasehold and the subsequent conversion from leasehold into freehold did not result in concentrating to an appreciable degree the occupancy of the ponds in the hands of owners with capital at their command adequate to meet the fluctuations of price and of demand and supply of so uncertain an industry. At Cockburn Harbour, where the cultivation of salt was initiated at a later date, the ponds are in fewer hands and are laid out on more approved principles. Unless the proverbial *deus ex machinâ* appears, and prices rise from some cause wholly unexpected,

the small owners will be unable to prolong the unequal struggle for existence, indefinitely. Substitute "salt" for "sugar," and there will be seen in these islands the same evolutionary process of elimination which has terminated in the extinction of the small cane growers in the other West Indies. Much as, from a sentimental and Arcadian aspect, the disappearance of the picturesque cattle and windmills is to be deplored, central factories with the most recent improvements are alone able to meet the exigencies of modern competition. "The old order changeth, yielding place to new"; and it is painfully apparent that the small owner, without capital, and more often than not handicapped by the heavy burden of interest on advances, and dependent upon antiquated and expensive methods (such as turning water from one pond into another by means of wheels turned by hand), which add materially to the cost of production and reduce to a minimum the probability of adequate returns, is daily growing less and less able to maintain his ponds in a state requisite for the successful and profitable cultivation and production of salt.

(6.) *Absence of co-operation among the salt pond proprietors.*—At a time when the industry is passing so critical a stage in its history, it is to be regretted that it is a matter of duty to animadvert on the inability, mainly from personal motives, on the part of those engaged in salt raking to unite in the consideration of measures likely to reduce the cost of production, to insure a more constant supply of salt, and to obtain prices for their produce at least equal to their outlay and to provide adequate means of subsistence. This spirit of distrust and estrangement, engendered probably by the contracting influences of isolated lives, to which allusion would not have been made had it not been for the baneful and paralysing effects it exercises upon the industry and community in general, is not of recent growth, but can be traced in the old resolves of the Board of Representatives, and has been the repeated subject of regretful comment by those placed in charge of the administration of the Dependency, whose unprejudiced testimony in this matter is of sufficient value to justify extracts from the reports and addresses being quoted in support of what is now stated. The preamble to the resolves passed by the Board of Representatives on the 20th May, 1802, gives as the reason of the resolves being presented: "Whereas from the anxious desire which the Holders of Salt have to dispose of the same, a Rivalship is constantly prevailing among them and the value of salt in consequence very much reduced to the great discouragement of the business of salt gathering as well as to the depression of the poorer classes of Inhabitants. . . ." In 1873, in an address to the Legislative Council, Captain Campbell, alluding to the reduction of the duty on salt imported into the United States stated as his opinion, "There is no doubt that such reduction has increased the demand for our staple, yet, while competi-

tion in the sale of salt is so keen among the salt pond proprietors, owing to the reduced circumstances in which they themselves are placed, any important rise need not be expected." Captain Jackson, in his report upon the year 1886, expressed the anxious desire that "some arrangement may be made to settle the price more firmly at a figure that may be remunerative to the importer and not wholly ruinous to the salt raker." Unhappily, even at the present crisis, the same internecine and suicidal humour prevails to such a degree as to prevent the unanimity essential for the consideration of concerted measures to avert commercial disaster from this interesting little community. Were a different spirit displayed and mutual assistance rendered, for instance in the matter of cartage and boatage, the expenses of production might, in many cases, be considerably reduced. As the proprietors are intelligent and practical business men, and, individually, of kindly sympathetic disposition, it is difficult to understand their reluctance to abandon this fatal attitude of estranged isolation and their hesitation to realize that, in the present stage of the industry, union is strength.

As the desired relief and anticipated advantages from the reduction in 1872 of the import duty in the United States, by the abolition of the export tax in 1873, and the recent temporary decrease in the statutory value of salt, have successively, been nullified to a great extent by the inability of the pond proprietors to hold together, it is to be hoped that they will, from the lessons of former experience, perceive that their salvation lies in the abandonment of their present policy.

Concluding Remarks.

From the foregoing portions of the report it will be gathered that the successful cultivation of salt on the part of the present pond proprietors in this Dependency will depend, in the future, mainly upon:

(1.) The production of pure salt.

(2.) Freedom from debt and heavy charges for advances.

(3.) The concentration or association of the interests in the ponds to assure proper cultivation, regular supply, and reduction in the cost of production.

(4.) The adoption of modern methods and mechanical appliances. The question of aerial lines for the conveyance of salt to the shipping places from the more remote ponds is engaging the consideration of one of the principal proprietors. The objection to light railroads is the rapid corrosion of the rails by the salt.

(5.) Combination and single-hearted unity among all engaged in the industry.

(6.) The appointment of an agent or representative from the pond owners who would visit, annually, the principal salt markets in order to further the sale of the staple product.

COLONIAL REPORTS.

The following recent reports relating to His Majesty's Colonial Possessions have been issued, and may be obtained from the sources indicated on the title page :—

ANNUAL.

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545	Trinidad and Tobago	1906–1907
546	Grenada	"
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550	British Guiana	"
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556	Basutoland	"
557	East Africa Protectorate	"
558	Uganda Protectorate	"
559	Swaziland	"
560	St. Helena	1907
561	Ceylon	"
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563	Gibraltar	"
564	Ashanti	"
565	Colonial Survey Committee	1907–1908
566	Northern Territories of the Gold Coast	1907
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568	Bermuda	"
569	Weihaiwei	"
570	Hong Kong	"
571	Malta	1907–1908
572	British Honduras	1907
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MISCELLANEOUS.

No.	Colony, &c.	Subject.
45	East Africa Protectorate	Geology.
46	Northern Nigeria	Mineral Survey, (1904–5).
47	Do. do.	Do. (1905–6).
48	Nyasaland Protectorate	Do.
49	East Africa Protectorate	Veterinary Department.
50	British Colonies, &c.	Cotton Cultivation.
51	Southern Nigeria	Forest Administration.
52	South Africa	Native Education.
53	East Africa Protectorate	Veterinary Bacteriological Work, 1907–8.
54	Newfoundland	Micmac Indians.
55	Cape of Good Hope	Report on the Rietfontein Area.

CANCER RESEARCH (COLONIES).

FURTHER CORRESPONDENCE

RELATING TO THE

CANCER RESEARCH SCHEME.

(*In continuation of* [*Cd.* 2818] *February*, 1906.)

Presented to both Houses of Parliament by Command of His Majesty.
April, 1908.

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4	Ditto	Cape of Good Hope.	June 12 (Rec. June 30.)	Transmits copy of Minute from Ministers stating that the Medical Officer of Health for the Colony has been appointed to act as local agent for the Cancer Research Fund.	3
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12	Ditto	Fiji	September 10 (Rec. Oct. 15.)	Reports that further specimens were dispatched before the receipt of No. 5, and that the Senior Medical Officer is now in England and has been requested to call on Dr. Bashford.	13
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18	Imperial Cancer Research Fund.	Tasmania	December 12	Explains that the specimens referred to in No. 17 were destroyed by the Postal Authorities, but that the result of the examination of a further 30 specimens received will be communicated to Dr. Elkington; conveys thanks of the Executive Committee for the work done by Dr. Elkington and others.	16
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Serial No.	From or to whom.	Colony.	Date.	Subject.	Page.
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FURTHER CORRESPONDENCE

RELATING TO THE

CANCER RESEARCH SCHEME.

No. 1.

GOLD COAST.

THE ACTING GOVERNOR to THE SECRETARY OF STATE.

(Received February 17, 1906.)

MY LORD, Government House, Accra, January 23, 1906.

I HAVE the honour to transmit to Your Lordship, herewith, a copy of notes of a further case of cancer which has come under observation in the Colonial hospital at Accra.

2. A copy of the notes, with specimens, has been forwarded to the General Superintendent, Cancer Research.

I have, &c.,
H. BRYAN,
Deputy Governor.

Enclosure in No. 1.

CANCER IN CROWN COLONIES.

Colony.—Gold Coast.
Year.—1906.
Hospital.—Accra.
Reference.—
Age.—About 45.
Sex.—Female.
Microscopic Examination.—Nil.
At Operation.—Hard elevated growth in proximity of left mamma in its lower and inner quarter—surface ulcerating.
At Post-mortem.—None, patient still alive.
Native or European.—Native.
Diagnosis.—Carcinoma.
Primary site.—Breast (probably outlying lobe—gland "capsule" not apparently opened at operation).
Secondary sites.—Small hard glands in axilla.
Cachexia.—Nil.
Occurrence of Ulceration.—Over surface of tumour with foul discharge.
Occurrence of Obstruction (pylorus intestine).—
Recurrence.—Nil.
Personal History.—(Special attention to native mode of life, adoption of European customs, religious observances, alcohol, &c.).—No adoption of European customs; religion pagan; alcohol, very moderate.

Duration.—Eleven months.
Residence.—Accra.
Cross reference.—Nil.
Remarks.—Nil.

No. 2.

GOLD COAST.

THE ACTING GOVERNOR to THE SECRETARY OF STATE.

(Received March 23, 1906.)

MY LORD, Government House, Accra, March 1, 1906.

IN continuation of my despatch of the 23rd of January last,* I have the honour to transmit to your Lordship, herewith, a copy of notes of a further case of cancer which has come under observation in the Colonial Hospital at Accra.

2. A copy of the notes with specimens has been forwarded to the General Superintendent, Cancer Research.

I have, &c.,
H. BRYAN,
Deputy-Governor.

Enclosure in No. 2.

CANCER IN CROWN COLONIES.

Colony.—Gold Coast.
Year.—1906.
Hospital.—Accra.
Reference.—
Age about 30 years.
Sex.—Male.
Microscopic examination.—Nil.
At operation.—Nil.
At Post-mortem.—Both lobes of liver much enlarged, gall bladder full, free from disease and stones. Whole of the liver consisted of growth similar to specimen. Head and body of pancreas similar growth.
Native or European.—Hinterland of Lagos.
Diagnosis.—Malignant growth of liver and pancreas.
Primary site.—Nil.
Secondary sites.—Nil.
Cachexia.—Well marked, no jaundice.
Occurrence of ulceration.—Nil.
Occurrence of obstruction (pylorus intestine).—None.
Recurrence.—Nil.
Personal history (special attention to native mode of life, adoption of European customs, religious observances, alcohol, &c.) Strict Mahomedan.
Duration.—Four months' symptoms.
Residence.—Accra.
Cross Reference.—Nil.
Remarks.—Permission could not be obtained for a complete post-mortem examination to be made. There was an excess of fluid in the peritoneal cavity, and a very large quantity of recent blood clot which filled the abdomen.

No. 3.

MALTA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received May 14, 1906.)

MY LORD, The Palace, Valletta, May 7, 1906.

WITH reference to the correspondence on the subject of the investigation of

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* No. 1.

cancer, I have the honour to forward, for transmission to the General Superintendent of Cancer Research, the accompanying notes,* drawn up by the pathologist of the Central Hospital, relating to cases of cancer which have been treated in that Institution during the year 1905.

2. The Comptroller of Charitable Institutions reports that specimens of tissue were examined by the pathologist, who has not deemed it necessary to forward them to England.

I have, &c.,
CHAS. M. CLARKE,
Governor.

No. 4.

CAPE OF GOOD HOPE.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received June 30, 1906.)

MY LORD, Government House, Cape Town, June 12, 1906.

I HAVE the honour to transmit to Your Lordship, with reference to your despatch of 19th December last,† a Minute from Ministers on the subject of the Cancer Research Fund. (Appointment of an authorised correspondent.)

I have, &c.,
WALTER HELY-HUTCHINSON.

Enclosure in No. 4.

(1/394.)

(Minute.)

Prime Minister's Office, Cape Town, June 12, 1906.

In acknowledging the receipt of His Excellency the Governor's Minute, No. 25, of the 9th January last, transmitting a copy of a despatch, dated 19th December, 1905, from the Right Honourable the Secretary of State for the Colonies, relative to the appointment of an authorised correspondent in order to facilitate the practical working of the Cancer Research Fund, Ministers have the honour to state that the Medical Officer of Health for the Colony has been appointed to act as local agent for this Fund in the Colony.

L. S. JAMESON.

No. 5.

THE SECRETARY OF STATE to THE GOVERNORS, &c.‡

(Circular.)

SIR, Downing Street, June 30, 1906.

I HAVE the honour to inform you that the Executive Committee of the Imperial Cancer Research Fund have expressed the opinion that it is desirable again to draw the attention of the British Colonies and Protectorates to the importance attaching to the investigation of cancer throughout the Empire on a uniform basis, because these investigations were seriously interfered with by an unforeseen difficulty in interpreting the regulations governing the nature of articles admitted to the International Post. Valuable specimens forwarded to London since September, 1905, from Fiji, Gibraltar, the Gold Coast, Grenada, Malta, Mauritius, New Guinea, Nigeria, Penang, Sierra Leone, Straits Settlements, and elsewhere, were destroyed by the Postal Authorities. This difficulty was overcome in March, 1906, by the General Post Office consenting to deliver such parcels, and the question of whether specimens of cancer were admitted to the Post under the Convention of Washington, 1897, has been settled in conformity with the assurances given by the Postmaster-General in the House of Commons on April 2nd. The new

* Sent to the Imperial Cancer Research Fund. † No. 27 in [Cd. 2818], February, 1906.
‡ Sent to all Colonies and Protectorates, and Cyprus.

Convention of Rome, 1906, specifies pathological specimens as admissible to the International Post.

2. Great importance attaches to investigating the occurrence of cancer in widely separated geographical areas, and in divergent races of mankind, in accordance with a uniform plan, and over a prolonged period of time. The valuable information already provided by the British Colonies and Protectorates has attracted the attention of authorities in Foreign Countries, who, while not enjoying equal opportunities for such extensive investigations, unanimously emphasize their unique value.

3. The Committee repeat that it is desirable, wherever it is difficult to conduct a satisfactory microscopical examination of tumours, that the report should be accompanied by small pieces of the tumour placed in formalin *immediately* after removal from the body, and forwarded to Dr. Bashford, General Superintendent of Research, Examination Hall, Victoria Embankment, London, W.C.

4. Suitable tubes packed in wooden cases and conforming with the regulations of the General Post Office will be despatched to any Colony or Medical Officer whenever it is probable that specimens will thereby be more likely to be forwarded; and, when desired, reports on the nature of the tumours will be sent to the Medical Officers who have provided the specimens.

5. The reports received on the occurrence of cancer fall into two categories for statistical purposes.

(*a*) The first of these categories includes tabular summaries of the numerous cases of cancer sent in or promised, for example, from New Zealand, Queensland, Tasmania, Montreal General Hospital, Malta, the Transvaal, Gibraltar, Egypt, Ceylon, British Guiana, Grenada, the Bahamas, Hong Kong, Mauritius, &c. These reports are based upon cases occurring in the white population in hospitals or among the native population. With regard to reports of this class, it appears that many cases of cancer have been investigated clinically and pathologically quite as thoroughly as in the hospitals of Great Britain and Ireland, microscopical examinations having also been made. Where this is so, the hospital authorities will lighten their labours and secure uniformity with the reports from London and Provincial Hospitals if they will use cards similar to that enclosed in Mr. Lyttelton's Circular despatch of the 18th of November, 1904.* These cards permit of rapid classification and tabulation of data, and at the same time the attention of Medical Officers is directed to the points on which information is essential. In the Cape of Good Hope, in Natal, in New Zealand, in Malta, in Egypt and in the General Hospital at Montreal, &c., this card system has already been adopted. For tabulating the data, the classification adopted in the Scientific Reports of the Imperial Cancer Research Fund No. II., 1905, "The statistical investigation of cancer" is recommended. These recommendations apply only to the method of compiling and classifying the information on which tabular summaries of many cases are based, and where microscopical examinations have been carried out, and they are not intended to supersede the method of reporting isolated cases of cancer in other parts of the Empire where a satisfactory microscopical examination of tumours cannot be made.

(*b*) The reports included in the second category relate to isolated cases of cancer discovered by the Colonial Medical Officers among aboriginal races more or less removed from contact with civilisation. Such reports are sent from the Gambia, the Gold Coast, Northern and Southern Nigeria, British East Africa, British Central Africa, British New Guinea, Labuan, &c., where cancer is difficult to discover; and single cases when discovered should be reported in the manner indicated in the form enclosed in Mr. Chamberlain's Circular despatches of the 29th and 30th May, 1903.†

6. The Committee desire again to direct special attention to the importance attaching to the results of the microscopical examination of tumours. The investigations which have lately been conducted in England, Scotland and Ireland have shown that even with the great facilities enjoyed at home, almost 40 per cent. of the less advanced cases of internal cancer, and many external cancers, are *not* recognised in hospitals from clinical symptoms alone, and a large number of cases of external and internal tumours would have continued to be regarded as cancer, had microscopical examination not revealed their non-cancerous character.

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* No. 85 in [Cd. 2342], February, 1905. † Nos. 2 and 3 in [Cd. 2342], February, 1905.

7. In appraising the value of the reports of the occurrence of cancer in aboriginal races and in different parts of the Empire, microscopical examination is important, not only because of the variations of the extent to which cancer is recorded, but also because of the uncertain nature of many of the diseases common in the Tropics.

8. The Executive Committee state that they are fully cognisant of the difficulties with which Medical Officers have to contend in discovering cancer in aboriginals and in obtaining and forwarding specimens, as well as of the difficulties in the way of obtaining definite data in regard to the age of the patient and the history of the illness. They wish, however, to point out that it is just where the requisite evidence is difficult to obtain that it possesses most value. The total number of cases of cancer observed in native races being still small, the investigations should be continued until adequate evidence of the frequency of the disease has been obtained, or an explanation arrived at as to the reasons for its real or apparent rarity. The lower average age of the natives examined may account for the rarity of the disease in some instances, but this explanation is not valid in others. In many aboriginal races almost all the cases recorded have been instances of external cancer. The apparent greater rarity of internal cancer points to the futility of relying on information vouchsafed by native patients, and the responsibility for the recognition of the disease must necessarily rest on diagnosis by the Medical Officers themselves.

I have, &c.,
ELGIN.

The Officer Administering
the Government of

No. 6.

NORTHERN NIGERIA.

THE ACTING HIGH COMMISSIONER to the SECRETARY OF STATE.

(Received July 11, 1906.)

MY LORD, Government House, Zungeru, June 13, 1906.

IN accordance with the instructions contained in paragraph 11 of your predecessor's circular despatch of the 18th of November, 1904,* regarding the investigation of cancer, I have the honour to transmit herewith the replies received from the various provinces of this Protectorate.

2. I much regret the delay that has occurred in forwarding this information, but, as your Lordship will fully understand, the collection of this has necessitated considerable time and work on the part of the Residents, and their investigations have from time to time had to be laid aside for considerable periods, owing to the stress of more urgent work in connection with the working of their provinces.

I have, &c.,
A. LOWRY COLE, Colonel,
Acting High Commissioner.

Enclosure 1 in No. 6.

The RESIDENT, Yola, to the POLITICAL ASSISTANT, Zungeru.

Your reminder of 6th January *re* average age attained by native men and women.

Without statistics of any sort to go upon, an answer to this question must be purely hypothetical.

The people themselves do not know their ages so that one can only judge by appearances the probable age of individuals. Very few really aged people are to be met with, and only two have come under my observation, viz., the chiefs of Lamurdi and Demsa. In both these cases, physical helplessness and blindness were

* No. 85 in [Cd. 2342].

induced by sheer age. According to European standards these men must have been close upon 100 years, but, as it is well known that tropical races mature much earlier than those of colder climates, European standards are hardly applicable in these cases, and the men may actually have not been more than 80 years of age.

I think there can be no doubt that men reach a greater longevity than women, and I attribute this to the early age the latter assume the duties of maternity and the generally harder life they have to lead.

I should think that 50 years for men and 45 for women would be approximate average ages attained by the men and women of this country.

GEO. N. BARCLAY,
Resident, Yola.

Enclosure 2 in No. 6.

The RESIDENT, Borgu Province, to the POLITICAL ASSISTANT.

Bussa, May 1, 1906.

I have the honour to acknowledge the receipt of Political Assistant circular, No. 74, dated 14th January, 1905 (a copy of which has just arrived, the original being untraceable in this office).

2. From enquiries I find that the average age attained by both men and women is held to be 60 years. No difference is said to exist between the sexes.

3. There is a very general opinion, however, that the average number of years of life is decreasing unaccountably, as, in the memory of present very old persons, there were very many more extremely old people in years gone by than is the case now.

The Chief of Kokafu, for instance, attained, it is said, the age of 205, while his son followed in his footsteps by not dying until he was 157 years old. The latter visited Sokoto not many years ago, where he became a Mohammedan.

The only reason that the Borgus can give for the lessening average age of life is a belief that by a continuance of the process the world will gradually come to an end.

H. D. LARYMORE,
Resident, Borgu Province.

Enclosure 3 in No. 6.

The RESIDENT, Bauchi Province, to the POLITICAL ASSISTANT, Zungeru.

Your No. 74, of the 14th January, 1905, and reminder of 6th January last.

2. I am quite unable to give the information asked for. Any opinion that I might express on the subject would be quite valueless, and I have not the time necessary to make a thorough enquiry into the matter.

3. Three of the Sarakuna are over 75 years of age, Yacubu died at the age of 80, Ibrahim at the age of 76.

OLIVER HOWARD,
Resident, Bauchi.

Enclosure 4 in No. 6.

The RESIDENT, Bassa, to the POLITICAL ASSISTANT, Zungeru.

SIR,

IN answer to your reminder calling for an answer to Political Assistant circular 74 of 14th January, 1905, *re* average age attained by native men and women, I have the honour to forward herewith attached the Medical Officer's (Bassa) opinion of the subject, which I trust and think may be of more service than my own.

I have, &c.,
J. RUTHERFORD LUMLEY,
Resident.

The Resident,
Dekina,
February 22, 1906.

The Medical Officer, Bassa, to Resident, Bassa.

The Average Age obtained by Native Men and Women.

Re your memorandum of 28th January I am sending you the following notes on the average age obtained by native men and women relative to the subject of cancer research.

My notes are based on enquiries made from an intelligent and educated Hausa, Malam Gambo, the headman of this town. He is a native of Kano, the most important town in the Hausa States. where he has had every opportunity of seeing natives from all parts of the Western Sudan. I have attempted to obtain information regarding all the races met with in this, the Bassa Province, which I now proceed to give.

Hausas. Men—average age obtained, 40 to 50 years. Women—average age obtained, 30 to 40 years.

Many men and women live to an old age. The oldest native my informant knew in Kano was a Beriberi (a native of Bornu) who, when he last saw him 14 years ago, was 90 years old, and at that time was alive, but he has since lost trace of him. The oldest Hausa woman he knew was 66 years old. My informant's father is 82 years old, and is still able to write a letter. The Hausa by occupation is a trader, and is met with in such wide-apart places as Lagos and Western Africa generally, Tripoli, and even Mecca.

Nupes. Men—average age obtained, 30 to 40 years. Women—average age obtained, slightly less.

They inhabit the banks of large rivers. They follow the occupation of canoemen and fishermen. They are said to suffer much from malaria, to be a weakly race, and to but rarely attain an old age.

Okpotos. Men—average age obtained, 50 to 60 years. Women—average age obtained, 40 to 50 years.

The Okpotos are a race of hunters, and are physically superbly muscular men, and are said to be very healthy, and to attain, for natives, remarkable ages. They live much upon the flesh of animals they kill, and accordingly are greater meat eaters than the neighbouring races. Near this town there is a man said to be 95 years old, and in the town there is a woman 75 years old. I myself have, while passing through the Okpoto town, been struck by the number of venerable patriarchs one sees, men between the ages of 60 and 70 years. Another curious point about the Okpoto country is that goitre is extremely common, especially so among the women; this the natives put down to poisoning of food by the sufferers' relatives. I have never seen goitre in the Hausa States, and I am told it is only met with among Okpoto slaves, who have been taken there as children. The physical characteristics of the country are low hills, innumerable "Kurmis" (narrow dense forest belts), with thick bush in between.

Other Races.—The other races in the province are Igbirras Agatos, Bassa, Komas and Bassas Ngphs. I myself have no experience of their country, but I am told that they, to a certain extent, resemble the Okpotos as regards the age to which they attain, the nature of their occupation, the prevalence of goitre, and the physical characteristics of their country.

J. H. Paterson,
Medical Officer, Bassa.

Akwatcha,
February 12, 1906.

Acting Resident, Nassarawa, to the Political Assistant, Zungeru.

In answer to your reminder, dated January 6th, 1906, *re* Political Assistant circular No. 74 *re* age of men and women:—

I have the honour herewith to inform you that I referred this matter to the Medical Officer, Dr. Bremner, who answers as follows:—

"I am of opinion that the average age attained by mature men in this district at the present time is about 38 to 40 years.

"The average age attained by mature women would be about 40 to 43 years."

A. Bremner.

K. V. Elphinstone,
Acting Resident, Nassarawa.

Resident, Nupe, to the Political Assistant.

In reply to your Political Assistant circular, No. 74, dated 14th January, 1905. In conversation with many Mallams, and as far as I can gather, the average age attained by native men is 60 years, and that of native women 55 years.

Herbert S. Goldsmith,
Resident, Nupe.

Bida,
February 10, 1906.

The Resident, Kontagora Province, to the Political Assistant, Zungeru.

Sir,

In reply to your circular, No. 74, of 14th January, 1905, I have the honour to state that the average age attained by men is about 60 years, and that of women about 70 years.

The above opinion has been formed after making careful enquiries and after personal observation during 11 years in West Africa.

I have, &c.,
W. S. Sharpe,
Resident.

Resident's Office,
Kontagora, February 10, 1905.

The Resident, Huri Province, to the Political Assistant, Northern Nigeria.

In reply to your circular memorandum, No. 74, *re* the average age attained by natives of both sexes:—

1. From my own observation I should say that 40 years would be a fair average and the Medical Officer (Dr. Parsons) is of the same opinion. Statistics based on anything but accurate and scientific investigation are worth very little, however.

R. Popham Lobb,
Resident.

Amar,
February 15, 1905.

The Resident, Sokoto Province, to the High Commissioner.

Your Excellency, Sokoto, March 21, 1905.

In reply to Political Assistant circular No. 74, I have the honour to submit as a mere conjecture that, if infant mortality is left out of account, the average age attained by natives is about 45 years.

2. I have nothing which can be called a basis or grounds for the above statement. The natives say that if there is no other cause of death than old age, Fulanis live to 60 years, which age is gradually increasing since their settlement in this country, and that Hausas live till 65 years. But is is utterly impossible to guess in any way at the numbers who die of disease during manhood. From a calculation of the known generations of ruling families during the past 100 years, I am of opinion that less than 30 years must be allowed for a generation. It is worthless as a basis, for I have but three or four instances to work on. If there is any justification for my assumption, it would prove that the average age here is less than that in England. As I do not know the average age in England, this calculation does not help me much.

3. I would point out the impossibility of obtaining such information in a country without a census or birth and death register, and where the average native has not the faintest idea as to his own age; I would also point out the utter valuelessness, for scientific purposes, of all opinions not based on statistics; and I venture respectfully to submit that Residents cannot afford to waste time on such fruitless enquiries and reports. The present one has taken me some hours.

I have, &c.,
ALDER BURDON,
Resident, Sokoto.

The MEDICAL OFFICER to the RESIDENT, Bornu.

Average Age attained by Native Men and Women.

May 3, 1906.

My knowledge of this question, such as it is, has been obtained at Yola, Zungeru, Zaria, and, in a less degree, in Bornu; but my inquiries have been conducted in a rather dilettantish manner, and here, where the best results can only be approximate, I fear that my conclusions must be far from accurate.

2. Lumping the above regions together, it may be taken as generally true that the better class native attains a greater average age than the slaves and lower classes. It is very difficult to get any conception of his age from the native himself; for, unless he be a very big man or a real Mallam, he has no means of ticking off his years. The average native fixes time by certain events which are of public importance locally; but it is generally impossible to fix accurately the date of any such event.

3. Among the lower classes, natives may be regarded as aged at 40 and as having reached the limit of life at some point between 50 and 60. Among the upper classes, on the other hand, it is quite common for them to attain the age of 70; and I should be inclined to say that among them the average age was much the same as that attained in Western Europe generally. This difference between the classes is not surprising when one considers the incidence of degeneration influences among them respectively.

4. As a rule, the upper classes are more or less followers of Islam, and, consequently abstainers from alcohol; while the lower classes and slaves are generally heathen and very generally drunkards.

Syphilis, again, is widely disseminated everywhere, and, although they do not escape altogether, the more or less jealous care which they take of their women protects the better class against this scourge to a great extent; while, on the other hand, the lower class and the slaves are as promiscuous as the lower animals and 90 per cent. of them are more or less syphilitically tainted. The consequence of this is easily seen in the large amount of paralysis and other evidence of degeneration arterial and other tissue changes which one constantly encounters.

5. Were it not for the enormous infantile mortality, the average age would have to be put at an incredibly low figure; but the survivors till adult life represent the principle of the "survival of the fittest."

Finally, remembering what I have said above, the average age of the classes, I should put the average age attained by them at 60; while 40 would fairly justly be the average for the lower orders.

6. I do not suppose that you are wishful for me to go exhaustively into the various influences making for the degeneration of the community, but I may end by saying that they are manifestly on the increase.

M. CAMERON BLAIR,
Medical Officer in Charge, Northern Bornu.

The RESIDENT, Kabba Province, to the POLITICAL ASSISTANT.

Lokoja, February 23, 1906.

In reply to Political Assistant circular No. 74 regarding the ages attained by natives of this country, I have the honour to report that, from personal experience

as well as enquiry from intelligent natives, the average ages are considered to be as follows:—

Men	60
Women	50

2. My personal opinion has been formed from the constant question I have had to ask to discover the age of chiefs whose names have to be entered in my Record Book.

H. D. Larymore,
Resident, Kabba Province.

The Resident, Zaria Province, to the Political Assistant, Zungeru.

With reference to Political Assistant circular No. 74, I have the honour to state that, in my opinion, the average age attained by native men who reach maturity in these parts is about 50 and of women about 40, but infant mortality is somewhat high, so that the average for those actually born each year is considerably less and is probably about 40 and 30, respectively.

The basis for my opinion is a series of questions in various villages throughout the province as to the age which the natives consider it is usual for individuals to attain.

C. W. Orr,
Resident, Zaria.

The Residency,
Zaria, February 13, 1905.

Sir, The Residency, Kano, March 8, 1905.

In reply to your circular No. 74, I have the honour to reply that in the absence of death statistics in this Protectorate, it is impossible to afford any information as to the average age attained by native men and women which would be of sufficient accuracy to be of any medical or scientific value to the Cancer Research Committee.

2. I am of opinion that, were statistics available, it would be found that the average age attained by Africans differs little from that attained by Europeans. I know of an authentic case of a man aged 104 with a son aged 80. Many natives, whom I have asked, tell me that the age of 70 or 80 is often attained by both men and women.

3. Generally speaking, I am inclined to think that the well-to-do live long, but that a large section of the poorer classes are carried off in middle life by epidemic diseases, such as dysentery, malaria, and pneumonia.

4. The great difficulty in obtaining any useful information upon this subject is that the majority of natives do not know their ages.

I have, &c.,
Featherston Cargill,
Resident, Kano.

The Political Assistant,
Zungeru.

Sir, Ilorin Province, March 6, 1905.

In answer to your Political Assistant circular No. 74 *re* average age of natives, I have the honour to inform you that some years ago a member of the Anthopometric Society asked me to procure him the same information.

2. I came to the following conclusions:—

(*a*) Old age is extremely rare in either sex.

(*b*) Owing to the profound ignorance of the native as to the passage of time it was all but impossible to get exact age of anyone over 20 years of age.

(*c*) That women live longer than men and that the average age attained by men might be taken as 45 years.

(*d*) That the cause of death in 80 per cent. of cases was due to pneumonia, which was most prevalent during the harmatan season.

(*e*) That I have never seen a case of cancer during 10 years' stay in the country.

I have, &c.,
P. M. DWYER,
Resident, Illorin.

The Political Assistant,
Zungeru.

No. 7.

COLONIAL OFFICE to FOREIGN OFFICE.

SIR, Downing Street, July 26, 1906.

I AM directed by the Earl of Elgin to transmit to you, to be laid before Secretary Sir Edward Grey, the accompanying copies of a circular despatch* which he has addressed to the Colonial Governments on the subject of the investigation of cancer.

2. Lord Elgin would suggest, for Sir E. Grey's consideration, that similar circulars should be sent to the Egyptian Government and the Government of Zanzibar.

I am, &c.,
R. L. ANTROBUS.

No. 8.

ORANGE RIVER COLONY.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received September 22, 1906.)

MY LORD, Governor's Office, Johannesburg, September 3, 1906.

I HAVE the honour to acknowledge the receipt of your Lordship's circular despatch of the 30th June last* respecting the investigation of cancer throughout the British Empire, and to state that it has been communicated to the Medical Officer of Health and to the Medical and Pharmacy Council of this Colony.

I have, &c.,
SELBORNE,
Governor.

No. 9.

DOMINICA.

THE ADMINISTRATOR to THE SECRETARY OF STATE.

(Received October 1, 1906.)

My Lord, Government House, Dominica, September 10, 1906.

I HAVE the honour to acknowledge the receipt, on the 18th August, of your Lordship's circular despatch of the 30th June last,* on the subject of the investigation of cancer throughout the Empire on a uniform basis.

2. I referred your Lordship's despatch to the Senior Medical Officer of this Presidency for his assistance in the matter, and have received from him a minute, of which I enclose a copy, from which it will be seen that Dr. Alford Nicholls, C.M.G., reports that cancer is a rare disease in Dominica.

I have, &c.,
DOUGLAS YOUNG,
Administrator.

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* No. 5.

Enclosure in No. 9.

MINUTE from the SENIOR MEDICAL OFFICER to His Honour the ADMINISTRATOR.

HIS HONOUR THE ADMINISTRATOR,

CANCER is a rare disease in Dominica, and so there is not often an opportunity of obtaining specimens of malignant tumours for transmission to the General Superintendent of Research in London.

One case only occurred in the Roseau Hospital last year, and no case of cancer has been admitted since then. The case in question was that of an old white creole man, a carpenter, living at the north end of Dominica. He had injured a finger many month before his admission, and the slight wound became a small ulcer, which was constantly irritated by an ointment of his own composition that he applied to it. On admission to the hospital he was found to have epithelioma of the finger; but, apparently, with no further extension of the disease. The finger was amputated and up to now there has not been any recurrence of the epithelioma.

Last year one of my private patients died of epithelioma. In 1904 I amputated his penis for epithelioma, and within a year the inguinal glands and the neighbouring skin became infected. The disease progressed rapidly, deep ulceration occurred, and the patient died of exhaustion.

He was a mulatto of about 58 years of age.

H. A. ALFORD NICHOLLS,
Senior Medical Officer.

September 6, 1906.

No. 10.

BARBADOS.

THE ACTING GOVERNOR to THE SECRETARY OF STATE.

(Received October 1, 1906.)

MY LORD, Government House, September 17, 1906.

I HAVE the honour to acknowledge the receipt of your Lordship's circular despatch of the 30th of June last* in which attention is again drawn to the importance that is attached to the investigation of cancer on a uniform basis throughout the Empire.

2. I am informed by Dr. J. Hutson, the Poor Law Inspector, who has kindly consented to forward all specimens from this Colony to Dr. Bashford, the General Superintendent of the Research Branch, that he has received no specimen for transmission since January, 1905, and that no application has been made for any of the tubes which were supplied to him for the purpose in March, 1905. It is impossible to understand or to satisfactorily account for this apathy on the part of the medical profession in connection with an investigation of such universal and vital importance, but I have communicated printed copies of your Lordship's despatch under reply to the local branch of the British Medical Association and to the officers in charge of the parochial and other public institutions in the hope of awakening some interest in the matter, and I will see that the requirements are in future carefully observed in the three institutions which are under the Governor's control, and will ask the Directors of the General Hospital to issue similar instructions to their medical staff.

I have, &c.,
S. W. KNAGGS,
Acting Governor.

No. 11.

ST. HELENA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received October 10, 1906.)

MY LORD, The Castle, St. Helena, September 17, 1906.

I HAVE the honour to acknowledge receipt of your Lordship's circular despatch

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* No. 5.

of the 30th June last* on the subject of the investigation of cancer throughout the Empire.

2. Referring to paragraph 4 of the despatch, the Acting Colonial Surgeon is of opinion that it is extremely desirable that a few tubes should be despatched to St. Helena with a view to sending specimens home for examination. I respectfully request I may be informed whether I should apply direct to the Imperial Cancer Research Committee for these tubes.

3. Whilst on this subject I would refer your Lordship to paragraph 3 of my despatch of the 20th January, 1905.†

I have, &c.,
H. L. GALLWEY.
Governor and Commander-in-Chief.

No. 12.

FIJI.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received October 15, 1906.)

MY LORD, Government House, Suva, Fiji, September 10, 1906.

I HAVE the honour to acknowledge the receipt of your circular despatch of 30th June last* on the subject of investigations in connection with the Imperial Cancer Research Fund, and, in reply, to say that the Chief Medical Officer, Dr. Corney, informs me that further specimens were forwarded before the receipt of your despatch which, it is hoped, may have reached their destination.

2. Dr. Lynch, the Senior Medical Officer of Fiji, is now in England on leave of absence and has been requested to call on Dr. Bashford.

I have, &c.,
EVERARD IM THURN.

No. 13.

TASMANIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received October 15, 1906.)

MY LORD, Government House, Hobart, September 10, 1906.

WITH reference to your Lordship's circular despatch of the 30th of June,* I have the honour to report that my Ministers have desired the medical authorities in the service of this State to give attention to the request therein contained.

I have, &c.,
G. STRICKLAND,
Governor.

No. 14.

WINDWARD ISLANDS (ST. VINCENT).

THE GOVERNOR to THE SECRETARY OF STATE.

(Received October 16, 1906.)

Grenada, September 22, 1906.

Forwarded.

R. B. LLEWELYN,
Governor.

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* No. 5. † No. 9 in [Cd. 2818].

The ADMINISTRATOR to the GOVERNOR.

SIR, Government House, St. Vincent, September 12, 1906.

WITH reference to previous correspondence on the subject of cancer research, and to the directions contained in the 7th paragraph of the Memorandum accompanying the Secretary of State's circular despatch of the 29th of May, 1903, I have the honour to forward, for transmission to the Colonial Office, the enclosed notes* prepared by Dr. C. W. Branch, relating to six cases of cancer that have come under his observation in this Colony.

2. Specimens selected and packed by Dr. Branch have been forwarded direct by parcel post to the General Superintendent of Cancer Research, Victoria Embankment, London.

I have, &c.,
EDWARD J. CAMERON,
Administrator.

His Excellency
Sir R. B. Llewelyn, K.C.M.G.,
&c., &c., &c.,
Grenada.

No. 15.

WINDWARD ISLANDS (ST. LUCIA).

THE GOVERNOR to THE SECRETARY OF STATE.

(Received October 16, 1906.)

Grenada, September 27, 1906.

Forwarded.

R. B. LLEWELYN,
Governor.

The ADMINISTRATOR to the GOVERNOR.

(Saint Lucia.)

SIR, Government House, September 17, 1906.

WITH reference to the Secretary of State's circular of the 30th June last, I have the honour to inform Your Excellency that your minute of the 14th ultimo and the circular have been circulated amongst the medical officers in the island.

2. The House Surgeon of the Victoria Hospital asks for a supply of the tubes mentioned in paragraph 4 and suggests one or two dozen.

I have, &c.,
P. C. CORK,
Administrator.

His Excellency
Sir Robert B. Llewelyn, K.C.M.G.,
&c., &c., &c.,
Grenada.

No. 16.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received November 3, 1906.)

MY LORD, Government House, Ottawa, Canada, October 25, 1906.

WITH reference to your Lordship's circular despatch of the 30th June last,† in which, at the instance of the Executive Committee of the Imperial Cancer Research Fund, you again drew attention to the importance attaching to the investigation of cancer throughout the Empire, I have the honour to enclose copy of an approved minute of the Privy Council stating that, as matters connected with medicine come within the jurisdiction of the Provinces, copies of your Lordship's despatch have

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* Sent to the Imperial Cancer Research Fund. † No. 5.

been forwarded to the several Lieutenant-Governors for communication to the Provincial Medical Boards.

I have, &c.,
GREY.

Enclosure in No. 16.

EXTRACT from a Report of the Committee of the Privy Council, approved by the Governor-General on the 17th October, 1906.

The Committee of the Privy Council have had under consideration a circular despatch, dated 30th June, 1906, from Lord Elgin, intimating that the Executive Committee of the Imperial Cancer Research Fund have expressed the opinion that it is advisable to again draw the attention of the British Colonies and Protectorates to the importance which attaches to the investigation of cancer throughout the Empire on a uniform basis.

The Minister of Agriculture, to whom the said despatch was referred, recommends, as medical matters in Canada come under the control of the Provincial Governments, that copies of the circular despatch be forwarded to the Lieutenant-Governor of each of the several Provinces, with a request that the Provincial Medical Boards be furnished with copies of the said despatch.

The Committee advise that His Excellency be moved to forward a copy of this minute to the Right Honourable the Secretary of State for the Colonies.

All which is respectfully submitted for approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

No. 17.

TASMANIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received November 13, 1906.)

[*Answered by No.* 19.]

MY LORD, Government House, Hobart, October 8, 1906.

WITH reference to your Lordship's circular of the 30th of June,* I have the honour to transmit a copy of a communication from the Chief Health Officer of this Government having reference to a further consignment of specimens of cancer growths, and calling attention to a desire to receive from Doctor Bashford his expected expressions of opinion on the specimens sent.

2. I beg leave to suggest that the interest invited in this line of research by medical authorities in this part of the world may be usefully revived and kept alive by the regular transmission to them of the diagnosis made in England of any case commanding more than ordinary attention.

I have, &c.,
G. STRICKLAND,
Governor.

Enclosure in No. 17.

YOUR EXCELLENCY, Premier's Office, Hobart, October 1, 1906.

REFERRING to the despatch received from the Secretary of State for the Colonies, dated the 30th June last, I have the honour to append hereto, for the information of the Home Authorities, a copy of a memorandum prepared by the Chief Health Officer dealing with the subject of cancer research.

I have, &c.,
J. W. EVANS,
Premier.

His Excellency the Governor,
Hobart.

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* No. 5.

Despatch from the Secretary of State for the Colonies, June 30, 1906.

Department of Public Health, Hobart, September 25, 1906.

Cancer Research.

The collection and transmission of cancer specimens has continued to receive close attention. A further consignment of 24 specimens from the Hobart and Launceston Hospitals is now in process of forwarding. Special bottles and boxes are used to secure safe transit.

A consignment forwarded on December 23rd, 1905 (17 specimens) has not been acknowledged, nor have diagnoses for these been received in accordance with Dr. Bashford's promise. Possibly, however, they were amongst the specimens destroyed by the postal authorities (paragraph 1). Should this be the case, the occurrence is to be deplored, as tending to check the zeal of the hospital medical officers in collecting others.

In a separate communication, authority is sought for obtaining a supply of printed cards on the model of that forwarded with despatch of 18th November, 1904.* The forms employed up to now have been adapted from an early communication, and are less suitable than are the cards.

No specimens have yet been secured from other State-assisted hospitals than those at Launceston and Hobart, despite circularization of the managements. A further communication will be sent out, and the Surgeon Superintendent at Launceston and Senior House Surgeon, Hobart, will be advised concerning matters of local application dealt with in the despatch now under consideration.

J. S. C. Elkington,
Chief Health Officer.

No. 18.

IMPERIAL CANCER RESEARCH FUND to COLONIAL OFFICE.

(Received December 12, 1906.)

Examination Hall, Victoria Embankment, London, W.C.,
December 12, 1906.

Sir,

With reference to your letter of the 10th instant,† enclosing a copy of a despatch and enclosures from His Excellency the Governor of Tasmania, I beg to state that the specimens of cancer referred to as having been forwarded on December 23rd, 1905, were unfortunately among those destroyed by the Postal Authorities. This was all the more regrettable because the specimens hitherto sent from Tasmania have formed a particularly interesting series, including several examples of early stages in the development of epithelioma of the lip, material which is of particular value, both from a clinical and a purely pathological standpoint. The removal of suspicious growths at an early stage is also eminently desirable in the treatment of the disease.

A further consignment of 30 specimens has recently been received from Tasmania, and so soon as their microscopical examination has been completed, the results will be communicated to Dr. Elkington as heretofore. Should any specimen present points of particular interest, attention will be directed to them, in accordance with the suggestion made by His Excellency the Governor.

A supply of 250 cards will be immediately forwarded to Dr. Elkington for use in the hospitals.

I need hardly add that the difficulty of transmission of cancer specimens through the post has now been entirely removed, and in future the medical officers concerned will not have their labours rendered futile by this destruction of specimens.

I am desired to ask you to be good enough to convey the thanks of the Executive Committee to Dr. Elkington, and those who have collaborated with him in obtaining and forwarding specimens.

I am, &c.,
E. F. BASHFORD.

No. 19.

TASMANIA.

The SECRETARY OF STATE to the GOVERNOR.

Sir,

Downing Street, December 20, 1906.

I have the honour to acknowledge the receipt of your despatch of

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* No. 85 in [Cd. 2342].

† A formal letter transmitting a copy of No. 18.

the 8th of October last,* and to transmit to you, for the information of your Government, a copy of a letter† from the Imperial Cancer Research Fund respecting the specimens of cancerous growths transmitted from Tasmania.

In view of what is stated by the Executive Committee of the Imperial Cancer Research Fund, I have no doubt that the medical authorities in Tasmania will continue to render the same valuable assistance to this important investigation which they have given in the past.

I have, &c.,
ELGIN.

No. 20.

MALTA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received December 26, 1906.)

MY LORD, The Palace, Valletta, December 19, 1906.

WITH reference to your predecessor's circular despatch of the 18th November, 1904,‡ I have the honour to forward, for transmission to the General Superintendent of Cancer Research, the accompanying notes§ drawn up by the Pathologist of the Central Hospital, relating to cases of cancer which have been treated in that Institution during the year 1906.

2. Specimens of tissue have not been forwarded, as a microscopical examination of the growth has in each case been made by the Government Pathologist.

I have, &c.,
CHAS. M. CLARKE,
Governor.

No. 21.

NATAL.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received April 27, 1907.)

MY LORD, Government House, Pietermaritzburg, Natal, April 5, 1907.

WITH reference to your circular despatch of the 30th June last,‖ I have the honour to transmit to you herewith a copy of the report of the Natal Cancer Research Committee for the year 1906.

I have, &c.,
HENRY McCALLUM.

Enclosure in No. 21.

REPORT OF THE NATAL CANCER RESEARCH COMMITTEE FOR THE YEAR 1906.

The Natal Cancer Research Committee is constituted as follows:—

President: The Chairman of the Natal Medical Council (Dr. J. Hyslop, D.S.O.).
Honorary Secretary: (Dr. W. Watkins-Pitchford).
The Health Officer for the Colony: (Dr. E. Hill).
The Government Bacteriologist: (Mr. H. Watkins-Pitchford).
The Principal Veterinary Surgeon: (Mr. S. Woollatt).
The District Surgeon for Pietermaritzburg: (Dr. C. Ward).
The District Surgeon for Durban: (Dr. Birtwell).
The Medical Officer of Health for Pietermaritzburg: (Dr. O. J. Currie).
The Medical Officer of Health for Durban: (Dr. Murison).
The Medical Superintendent, Addington Hospital, Durban: (Dr. Balfe).
The Medical Superintendent, Grey's Hospital, Pietermaritzburg: (Dr. Crass).

Since the appointment of the Honorary Secretary the Committee has met upon two occasions, once in October, 1905, and once in November, 1906.

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* No. 17. † No. 18. ‡ No. 85 in [Cd. 2342].
§ Sent to the Imperial Cancer Research Fund. ‖ No. 5.

On the recommendation of the Committee the following matter has been printed:—

(1) A letter requesting the co-operation of medical and veterinary practitioners, sportsmen, and naturalists in the search for instances of malignant growth and the procuring of specimens.
(2) Suggestions and special directions to medical men.
(3) Form for notes upon a human case.
(4) Form for notes upon a case in an animal.

Numbers 2, 3, and 4 are substantially the same as those issued by the Central Committee although a few supplementary headings have been added to numbers 3 and 4. Copies of 1 and 2 have been sent to every medical and veterinary practitioner in the Colony.

At the request of the Local Committee the Health Officer for the Colony has furnished a duplicate of every certificate of death from malignant disease; this has enabled the Honorary Secretary to communicate with the medical man who certified the death and request him to provide notes of the case upon Form 3 referred to above.

Detailed information respecting 49 certified cases has been applied for from medical men, but concerning only 21 of these have replies been received. The majority of these replies afford such meagre details as to make them of but little use. Only 3 of the 21 reports state that a post-mortem examination had been made, all three being in Indian cases. Such examinations are very rarely made in private practice in Natal, a fact which is mainly due to the very short time available before interment must take place. In but 6 of the 21 reports is the statement made that the diagnosis had been confirmed by microscopic examination at the Government Laboratory, and in only one instance had a microscopic examination and a necropsy both been made.

Although microscopic diagnosis has been conspicuously infrequent, yet this shortcoming will probably be less evident in the future owing to the interest evoked by the appeal of the Cancer Research Fund and the consequently increased appreciation of the need for absolute accuracy in the diagnosis of cancer.

Natal is inhabited by three distinct races, the European, Kaffir, and Indian, and these are present in the approximate percentage proportions of 8, 82, and 10, respectively.

Mortality returns of any value are available from the European and Indian populations alone so that, for the purposes of a statistical enquiry into the prevalence of cancer, the largest section of the population, the native, remains for the present an all but closed domain.

An additional factor which materially reduces the value of our results, and which has been referred to above, is the infrequency with which the diagnosis of certified cancer has been confirmed by microscopic and necroscopic examinations.

Upon the statistical side of our investigations, therefore, we have not thought that the quantity and quality of the data have justified us in going farther than a bare statement of crude death-rates, together with a reference to the constitution of the populations in respect of their age- and sex-distribution.

At the suggestion of the Local Committee the Government consented to remit the ordinary charges made by the Government Laboratory for the examination of tissue suspected of being cancerous. At the beginning of a new year, however, the need for financial circumspection has necessitated a modification of this concession and it now applies only to cases in which patients are unable to pay medical fees and to cases in which the patient is a native.

If the funds at the disposal of the Central Committee permitted the making of a small annual grant to enable all new growths from private sources to be examined free of charge to the sender one of the possible limitations upon the acquisition of information would be removed.

No charge is made by the Government Laboratory for the examination of pathological specimens from either of the public hospitals in Maritzburg or Durban.

Owing to the incompleteness of most of the reports the Committee fears that they will not prove as serviceable as was anticipated; it has, however, been decided that all of them shall be forwarded to the Central Committee as a few contain suggestive statements bearing upon family proclivity, time of recurrence after operation, &c.

Cancer among Europeans in Natal.

Among the European population of the Colony 44 deaths have been certified as due to malignant disease.

The estimated European population in the middle of the year was 94,450, and this affords us a crude death-rate from cancer of .46. The cancer death-rate in England and Wales for the year 1903 was .87.

The constitution of the European population of Natal in the census year 1904 was as shown in the subjoined table.

European Population of Natal, calculated to a Standard of 100,000.
(From Report of Health Officer for the Colony, 1905.)

Age.	Males.	Females.	Persons.
0	5,680	5,432	11,112
5	5,144	4,825	9,969
10	4,683	4,663	9,346
15	4,462	4,210	8,672
20	7,215	4,304	11,519
25	14,575	8,678	23,253
35	8,073	5,418	13,459
45	4,518	2,836	7,354
55	1,910	1,495	3,405
65	751	614	1,365
75 and upwards	269	245	514
All ages	57,280	42,720	100,000

This table shows that only 3·4 per cent. (as against 5·9 per cent. in England and Wales) of the European population were in the age-period which usually provides the maximum mortality from cancer, viz., 55-65. It is obvious that this and the other peculiarities in the age- and sex-distribution of our European population explain our low death-rate from cancer as compared with that for England and Wales.

The following is a tabulated summary of those cases which terminated fatally amongst Europeans during the year. In five only was the diagnosis arrived at, or confirmed by, microscopic examination, and in none was a post-mortem examination made:—

Summary of 44 European Deaths from "Cancer" (39 diagnosed clinically, 5 microscopically)

Region.	No. of Deaths.	Age and Sex of Deceased.
Uterus, C.	9	69, 65, 64, 56 (microsc.), 56, 56, 51, 46 and 38.
Breast, C.	7	(All F.) 57, 57, 54, 48, 46, 43 (microsc.), 39 (microsc.).
Liver, C.	5	F. 55, F. 46, M. 65, M. 61, M. 57.
Stomach, C.	4	F. 71, F. 64, M. 77, M. 46.
Tongue, C.	4	M. 66, M. 60 (microsc.), M. 59, M. 30.
Colon, C.	2	M. 58, F. 31.
Lip, C.	1	M. 72.
Prostate, C.	1	M. 75.
Kidney, C.	1	M. 38.

Region.	No. of Deaths.	Age and Sex of Deceased.
Vagina, C.	1	F. 29 (microsc.).
Face, R.U.	1	F. 86.
Foot (skin), S.	1	M. 67.
"Cancer of throat"	1	M. 55.
"Cancer of face"	1	F. 50.
"Cancer of scalp and neck"	1	M. 53.
"Cancer of neck"	1	M. 73.
"Cancer"	3	M. 70, M. 64, M. 45.

Totals ... ... F. 24, M. 20, Persons 44.

(C. denotes Carcinoma, S. Sarcoma, and R.U. Rodent Ulcer.)

Cancer among the Native Races of Natal.

With respect to malignant disease among the native races of Natal and Zululand but little information of an exact statistical nature has been obtained.

Every medical man has been requested to keep a close watch for its occurrence and it is probable that not many cases will escape detection.

Deaths among natives are not registered in the same manner as those among Europeans and Indian immigrants; in fact it is but rarely that a native is attended in his last illness by a qualified medical man unless he happens to be an inmate of one of the hospitals. Native deaths are reported to the Magistrates by "Informants," who are sent at periodic intervals by the chiefs for this purpose, the cause of the death being usually given as "a pain in the head" or "sick inside."

The estimated native population of Natal in the middle of 1906, based upon the census of 1904, was 930,000. During the year 12,255 deaths were reported to the Magistrates, but no death stated to have been due to cancer has been called attention to.

The District Surgeon of Mapamulo—a district with a native population in 1905 of 33,082—states that no case of "cancerous disease" occurred among the natives of this district in that year. In the United Kingdom, we understand, there is approximately one case of cancer to each 1,500 of the population, and one in every 21 males and one in every 12 females who survive the 35th year of life eventually die of the disease.

As bearing upon the theory that the small incidence of cancer upon the negro races is due to the relatively shorter life of the individual, the following table showing the approximate age-distribution of the native population of Natal compared with that of the population of England and Wales, is of interest*:—

Persons.	England and Wales, 1901.	Natal Natives, 1904.
Under 5	114,262	202,679
5	209,944	244,691
15	418,745	414,903
40 and over	257,049	137,727
Standard population ...	1,000,000	1,000,000

The sex-distribution is nearly the same as that for England and Wales.

It will be seen from this table that whereas 25·7 per cent. of the population of

* This table is compiled from the Report of the Colonial Health Officer for 1905. It is expressly stated in this Report that the accuracy of these figures cannot be entirely relied upon; a native rarely knows his age correctly.

England and Wales were of the age of 40 and over, only 13·7 per cent. of the Natal natives had reached this period of life.

Malignant growths, though undoubtedly rare are found among our natives and, at present, it appears probable that sarcoma is as frequent as, or more frequent than, carcinoma. Of eight specimens of new growth from natives examined at the laboratory during the year one proved to be a carcinoma (female, aged 25, breast), and two sarcomata (both females and both in sole of foot). As none of these cases have yet terminated fatally, detailed reports upon them are not included. In the present year (1907) another case of mammary carcinoma in a young native woman, also aged 25, has been identified microscopically.

The occurrence of sarcoma, as a primary growth, in the sole of the native foot is apparently worthy of special investigation. In the "Guy's Hospital Gazette" for March 26, 1904, Dr. Henson, now District Surgeon for Impendhle in Natal, briefly records five cases of melanotic sarcoma of the native foot which came under his notice in one year whilst Medical Superintendent of Grey's Hospital, Pietermaritzburg. Dr. Henson also remarks in the same article that he has "never yet seen a tumour of epithelial type in the native races."

Three additional cases of sarcoma originating in the sole of the foot of natives were diagnosed microscopically in the Government Laboratory during the years 1905 and 1906. In 1905 a femoral gland removed from a native woman, aged 47, who was almost certainly one of the cases described by Dr. Henson, was also examined and found to be the seat of a secondary deposit of melanotic sarcoma; this patient died shortly afterwards and melanotic deposits were found in the pelvic lymphatic glands but not elsewhere. The primary growth in this case began as a nodule in the skin on the inner side of the sole of the foot. After slowly increasing in size for four years it was excised at Grey's Hospital and did not reappear in the femoral and pelvic glands until six years after the operation.

That eight native cases of sarcoma of the foot* should have been observed without a single case of a similar primary growth in any other part of the body is remarkable and certainly suggestive of, to use Dr. Henson's expression, "infection from without." Presumably the infective material, if such there be, would gain entrance by cuts and cracks in the skin.

It is desirable to know whether in cases of sarcoma of the sole of the foot, melanotic or otherwise, which may come under observation in civilised communities, the majority of the patients do or do not give a history of being accustomed to walk barefooted.

No evidence is at present forthcoming which favours the supposition that contact with the European races and the adoption of European habits renders the native more prone to cancer.

Cancer among the Indian Population of Natal.

In the middle of 1906 there were estimated to be 98,049 "Indian Immigrants" (*i.e.*, indentured Indians and their descendants) in Natal. Deaths among this population are certified and registered in much the same manner as those among the European population. In addition to these there were approximately 17,000 Indians classed as "Free" and concerning whom there are not any available mortality returns.

Among the Indian immigrants five deaths were certified as due to "Cancer," giving a crude death-rate of ·05.

The five cases were returned as follows:—

"Cancer" of tongue, female, 56.
"Cancer" of œsophagus, female, 47.
"Cancer" of intestines, female, 25 (post-mortem examination).
"Cancer" of caecum, female, 5 (post-mortem examination).
"Cancer" of liver, male, 40 (post-mortem and microscopic examinations).

Beyond these particulars no further information could be obtained.

The relatively low death-rate among Indian immigrants makes the question of

* The only European death from sarcoma during the year has been that of a man, aged 67, who developed melanotic tumours in the femoral glands seven years after the excision of a melanotic growth from the sole of the foot. The diagnosis does not appear to have been confirmed microscopically.

the constitution of this population one of interest. The following table is taken from the report of the Health Officer for the Colony for 1905:—

ASIATIC POPULATION OF NATAL, CALCULATED TO A STANDARD OF 100,000.

Age.	Males.	Females.	Persons.
0	6,318	6,617	12,935
5	6,200	5,577	11,777
10	4,130	3,394	7,524
15	5,860	3,475	9,335
20	9,097	4,848	13,945
25	16,752	7,379	24,131
35	9,746	3,885	13,631
45	3,097	1,223	4,320
55	1,255	487	1,742
65	343	136	479
75 and upwards	122	59	181
All ages	62,920	37,080	100,000

From this table it will be seen that only 1·7 per cent. (as against 5·9 per cent. in England and Wales) of this population were in the age-period 55-65.

LABORATORY WORK.

Fifty-six specimens of new growth have been sent for microscopic examination to the Government Laboratory during the year. The results of these examinations may be thus briefly summarised:—

Human specimens.—41 from Europeans—carcinoma 18, sarcoma 2, rodent ulcer 1, simple 20.

Eight from natives—carcinoma 1, sarcoma 2, simple 5.

Veterinary specimens.—7—carcinoma 1, doubtful 3, simple 3.

Stained sections and the paraffin blocks from which they have been cut are preserved at the laboratory and, if required in any particular instance, can be forwarded to the Pathological Sub-Committee.

VETERINARY CANCER.

The one malignant growth from a veterinary source was a squamous-celled carcinoma originating in the cornea of an Africander ox, aged 6 years; the detailed report upon this case is included with the other reports.

The three tumours classed above as "doubtful" were all of the same nature. Two were removed from the jugular furrow of horses and one from the perineum of an ox. They consisted of an infiltration of normal connective tissue by a fluid holding in suspension minute granules of brownish-black pigment. The pigment granules, which were almost entirely extra-cellular, were present in such abundance as to obscure in great part the tissue elements. No sarcoma cells could be seen and the suspicion was entertained that the condition was due to some artificial procedure. The veterinary surgeon who sent the specimens left the Colony shortly afterwards and no trace of the animals from whom it was alleged that the tumours had been removed could be found.

"CANCER CURES."

Three "secret cures for cancer," from different sources, have been investigated at the laboratory during the year. In each instance the proprietor of the "secret" was anxious to dispose of it, for a very handsome sum, either to the Government

or to the Imperial Cancer Research Fund. All these "cures" took the form of a "salve," to be applied directly to any tumour or ulceration suspected of being cancerous. The active ingredient of all of them was found to be the same substance, viz., tartarated antimony. The empirical use of this substance in the form of an ointment to produce local necrosis and sloughing appears to have been retained as a secret in the families of some of the early Dutch settlers in Natal.

One native woman (aged 25) whose breast has been amputated for a quickly-growing carcinoma, diagnosed microscopically, is undergoing the "trypsin treatment" at the hands of Dr. J. McCord in the Native Dispensary, Durban. Despite the treatment the cervical glands are enlarging and the growth has recurred in the operation scar. The microscopic characters of the recurrent growth in the scar are not quite the same as those of the primary; the cancer cells do not stain as well, and their outlines and those of their nuclei are less distinct. These differences may, of course, be due to causes quite unconnected with the treatment which the patient is undergoing.

The Natal Committee wishes to acknowledge the unstinted assistance afforded to it by the Government in such matters as free railway-passes for members attending meetings, the defraying of the cost of stationery, printing, and postage, the loan of a type-writing machine for secretarial work, &c. The assistance of the Health Officer for the Colony in providing copies of death certificates and population statistics, as well as the co-operation of many medical and veterinary practitioners has been of vital importance in carrying on the work.

Wilfred Watkins Pitchford, M.D.,
Honorary Secretary,
Natal Cancer Research Committee.

The Laboratory, Pietermaritzburg,
March 1, 1907.

No. 22.

BRITISH GUIANA.

The GOVERNOR to the SECRETARY OF STATE.

(Received September 23, 1907.)

My Lord, Government House, Georgetown, Demerara, September 7, 1907.

With reference to your Lordship's circular despatch of the 24th August [? 30th June], 1906,* I have the honour to transmit copies of a report, prepared by Dr. K. S. Wise, Bacteriologist to British Guiana, on the cases of cancer occurring in this Colony from the 1st April, 1906, to 31st March, 1907.

2. Copies of this Report have been forwarded to Dr. Bashford, General Superintendent of Cancer Research, London.

I have, &c.,
F. M. HODGSON.

Enclosure in No. 22.

Report on Cancer in British Guiana for 1906-1907.

Sir, Public Hospital, Georgetown, July 2, 1907.

I have the honour to transmit herewith a report on cancer in British Guiana for 1906-1907.

2. The report has been drawn up on the lines suggested by the circular despatch of the Secretary of State published in the "Official Gazette" of 14th January, 1905.

3. A further circular despatch published in the "Official Gazette" of the 29th August, 1906, refers specially to "isolated cases of cancer among aboriginal races." One such case (Case 20) is here recorded.

4. I trust I may be permitted to have a copy of the report for the purpose of

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* No. 5.

filing in the records of the Medical Library and referring to in any subsequent correspondence with the Directors of the Imperial Cancer Research Fund.

I have, &c.,
K. S. Wise.

The Honourable Surgeon-General.

Cancer in British Guiana.—(1906-1907.)

This record is divided into three parts:—

I. Record of cases in which a post-mortem and subsequent microscopical examination was made.
II. Record of cases in which microscopical examination was made of the tumour by removal during life.
III. Record of cases returned as cancer clinically and not examined microscopically.

I.

Record of Cases occurring from 1st April, 1906, to 31st March, 1907.

Case 1.—Reference, 1906, 40. Age 53, female. Primary site:—Cervix uteri. Secondary:—Pelvic tissues (not rectum or bladder). Cachexia and ulceration present. Squamous celled Carcinoma. Duration 18 months. East Indian race. Occupation, domestic.

Case 2.—Reference, 1906, 64. Age 45, male. Primary site:—Pancreas. Secondary:—Stomach and liver. Cachexia and ulceration of stomach present. No obstruction. Scirrhous Carcinoma. Duration 3 months. East Indian race—labourer.

Case 3.—Reference, 1906, 73. Age 11, male. Primary site:—Cerebellar Meninges. Secondary:—Substance of the Cerebellum. Cachexia advanced. Spindle celled sarcoma. Duration 14 days. Portuguese race.

Case 4.—Reference, 1906, 101. Age 70, female. Primary site:—Left Mamma. No secondaries. No obvious cachexia. Scirrhous Carcinoma. Atrophic. Duration unknown. Black race of British Guiana.

Case 5.—Reference, 1906, 102. Age 42, female. Primary site:—Left Mamma (two separate masses). Secondary:—Glands of left axilla and posterior triangle of neck. Right lung. Mediastinal tissues ulcerating to pericardium. Mesenteric glands. Spine not affected. No ulceration in the Mamma. Cachexia advanced. Scirrhous Carcinoma. Duration 5 months. Black race of Barbados—domestic.

Case 6.—Reference, 1906, 113. Age 58, female. Primary site:—Cervix uteri. No secondaries. Ulceration and Cachexia present. Squamous celled Carcinoma. Duration 2 months. East Indian race—labourer.

Case 7.—Reference, 1906, 119. Age 60, male. Primary site:—Pylorus. Secondary:—Liver. Cachexia and ulceration present. No obstruction. Columnar celled Carcinoma. Duration 3 months. Black race of British Guiana—labourer.

Case 8.—Reference, 1906, 133. Age 40, female. Primary site:—Pancreas. No secondaries. Cachexia present. Scirrhous Carcinoma. Duration unknown. East Indian race—labourer.

Case 9.—Reference, 1906, 145. Age 68, female. Primary site:—Pancreas. Secondary:—R. Kidney, lumbar and inguinal glands. Liver, Mediastinal glands and R. posterior triangle of neck. Cachexia advanced. No ulceration or obstruction. Scirrhous Carcinoma. Black race of British Guiana.

Case 10.—Reference, 1906, 161. Age 39, male. Primary site:—Liver (Sirrhotic 131 oz.). Secondary:—Pleura at base of R. lung. Peritoneum full of blood.—No growth. Cachexia marked. Large nodule of Cancer burst causing the blood in peritoneum. Columnar adeno-Carcinoma. Duration 4 months. East Indian race—labourer.

Case 11.—Reference, 1906, 172. Age 50, male. Primary site:—Pituitary body. No secondaries. Size 38 × 32 mm. L. optic nerve flattened with blind-

ness. No acromegaly. Symptoms of meningitis. Small round celled sarcoma. Duration 7 days. East Indian race—labourer.

Case 12.—Reference, 1906, 176. Age 56, female. Primary site:—Uterus (fibromatous and calcareous). Secondary:—Both lungs and spleen. Cachexia present. Spindle celled Sarcoma. Duration unknown. Black race of British Guiana.

Case 13.—Reference, 1906, 259. Age 29, female. Primary site:—Pancreas. Secondary:—By contiguity to neighbouring structures only. Cachexia marked. Duration 5 months. Scirrhous Carcinoma. Mixed race, born in British Guiana.

Case 14.—Reference, 1906, 383. Age 58, male. Primary site:—Pylorus. Secondary:—Liver. Both Cachexia and ulceration present. Columnar celled Carcinoma. Duration 2 months. Black race of Barbados.

Case 15.—Reference, 1906, 483. Age 45, male. Primary site:—Pylorus. Secondary:—Liver. Both Cachexia and ulceration present. Columnar celled Carcinoma. Duration 3 months. East Indian race.

Case 16.—Reference, 1906, 506. Age 43, male. Primary site:—Pylorus. Secondary:—Iliac glands, Pancreas, Liver, Falciform ligament and Umbilicus, R. Kidney and Lung. Cachexia present. Ulceration at the Umbilicus and in Stomach. Columnar celled Carcinoma. Black race of British Guiana.

Case 17.—Reference, 1906, 514. Age 50, female. Primary site:—Cervix uteri. Secondaries:—Nil. Cachexia and ulceration present. Squamous celled Carcinoma. East Indian race.

Case 18.—Reference, 1906, 557. Age 40, female. Primary site:—Cervix uteri. No secondaries. Cachexia and ulceration present. Squamous celled Carcinoma. Black race of British Guiana.

Case 19.—Reference, 1906, 557. Age 40, female. Primary site:—Cervix uteri. No secondaries. Well-marked Cachexia. Ulceration present. Squamous celled Carcinoma. Black race of British Guiana.

Case 20.—Reference, 1906, 643. Age 45, male. Primary site:—Sole of foot. Secondary:—Nodules all up the lines of lymphatics of the leg, Femoral and inguinal glands. Bronchial glands and both lungs. Well-marked advancing Cachexia. Great ulceration. Melanotic Sarcoma. (Spindle celled.) Aboriginal (Buck) Indian of the back lands of British Guiana.

II.

Record of Cases from April 1, 1906—*March* 31, 1907.

Tissues removed for diagnosis or during operation for removal of Tumour.

Case 21.—Reference, 1906. T. I. Age 31, male. Labourer. Primary site:—Scalp. No secondary. No Cachexia. Spindle-celled sarcoma. Duration 1 year. East Indian race.

Case 22.—Reference, 1906. T. 2. Age 66, male. Primary site:—Jaw. No secondary. No Cachexia. Myeloid sarcoma. Duration 5 months. Mixed race of British Guiana.

Case 23.—Reference, 1906. T. 3. Age 24, female. Domestic. Primary site:—Jaw. No secondary. No Cachexia. Myeloid sarcoma. Duration 3 months. Black race of British Guiana.

Case 24.—Reference, 1906. T. 4. Age 45, female. Domestic. Primary site:—Face. No secondary. No Cachexia. Rodent ulcer. Recurrent from first operation, July, 1905. Duration 4 months. Portuguese race born in British Guiana.

Case 25.—Reference, 1906. T. 5. Age 59, male. Carpenter. Primary site:—Penis. No secondaries. Cachexia present. Squamous-celled Carcinoma. Recurrent from operation in September, 1905. Duration 4 months. Mixed race of British Guiana.

Case 26.—Reference, 1906. T. 6. Age 47, male. Labourer. Primary site:—Penis. Secondary:—Groin glands. Cachexia present. Squamous-celled Carcinoma. Recurrent from operation in October, 1905. Black race of Antigua.

Case 27.—Reference, 1906. T. 7. Age 57, female. Labourer. Primary site:—Thigh. No secondary. No Cachexia. Spindle-celled sarcoma. Recurrent in amputation scar two months after. Black race of Barbados.

Case 28.—Reference, 1906. T. 8. Age 48, female. Domestic. Primary site:—Breast. No secondary. No Cachexia. Scirrhous Carcinoma. Duration 2 weeks. Black race of British Guiana.

Case 29.—Reference. 1905. T. 9. Age 40, female. Domestic. Primary site:—Breast. No secondary. No Cachexia. Scirrhous Carcinoma. Duration 2 months. Black race of British Guiana.

Case 30.—Reference, 1906. T. 10. Age 30, female. Labourer. Primary site:—Breast. Secondary:—Glands of Axilla. No Cachexia. Scirrhous Carcinoma. Duration 1 month. Black race of British Guiana.

Case 31.—Reference, 1906. T. 11. Age 63, female. Housewife. Primary site:—Nose. No secondary. No Cachexia. Rodent ulcer. Recurrent from operation in August, 1904. Duration 5 months. European (white) race.

Case 32.—Reference, 1906. T. 12. Age 45, female. Domestic. Primary site:—Breast. Secondary:—Glands in Axilla. Scirrhous Carcinoma. No Cachexia. Duration 15 months. Ulceration present. Black race of British Guiana.

Case 33.—Reference, 1906. T. 13. Age 54, female. Labourer. Primary site:—Cervix uteri. No secondary. Squamous-celled Carcinoma. Ulceration and Cachexia both present. Duration 2 months. Black race of British Guiana.

Case 34.—Reference, 1906. T. 14. Age 32, male. Clerk. Primary site:—Pylorus. No secondaries. Columnar-celled Carcinoma. Obstruction and Cachexia, no ulceration. Duration 1 month. White race born in British Guiana (Creole).

Case 35.—Reference, 1906. T. 15. Age 52, female. Seamstress. Primary site:—Face below and outer side of L. eye. No secondary. Rodent ulcer. No Cachexia. Recurrent after operation, January, 1906. (10 months.) Now healing under X-rays. Mixed race of British Guiana.

Case 36.—Reference, 1906. T. 16. Age 35, female. Domestic. Primary site:—Muscles of R. groin. No secondaries. No ulceration or Cachexia. Spindle-celled sarcoma. Duration 1 month. Black race of British Guiana.

Case 37.—Reference, 1906. T. 17. Age 63, male. Labourer. Primary site:—Tongue. Secondary:—Glands of neck. Cachexia and ulceration present. Squamous-celled Carcinoma. Duration 8 months. Black race of British Guiana.

Case 38.—Reference, 1906. T. 18. Age 48, female. Domestic. Primary site:—Cervix uteri. No secondaries. Both ulceration and Cachexia. Squamous-celled Carcinoma. Duration 2 years. Portuguese race born in British Guiana.

Case 39.—Reference, 1906. T. 19. Age 26, female. Labourer. Primary site:—Cervix uteri. No secondaries. No Cachexia. Squamous-celled Carcinoma. Duration 2 months. East Indian race.

Case 40.—Reference, 1906. T. 20. Age 63, female. Domestic. Primary site:—Mamma. Secondary:—Axillary glands. No ulceration or Cachexia. Scirrhous Carcinoma. Duration 1 year. Mixed race of British Guiana.

Case 41.—Reference, 1906. T. 21. Age 66, male. Labourer. Primary site:—Bladder. Secondary:—Prostate. Ulceration and Cachexia. Squamous-celled Carcinoma (infiltrating not villous). Duration 11 weeks. Black race of British Guiana.

Case 42.—Reference, 1906. T. 22. Age 62, male. Carpenter. Primary site:—Penis. No secondary. Ulceration. No Cachexia. Squamous-celled Carcinoma. Duration 3 months. Black race of Barbados.

Case 43.—Reference, 1906. T. 23. Age 34, male. Merchant. Primary site:—Tongue. Secondary:—Cervical glands. Ulceration and Cachexia. Squamous-celled Carcinoma. First operation, 1905, July. Recurred, 1905, November. Inoperable, 1907, January. Chinese race born in British Guiana.

Case 44.—Reference, 1906. T. 24. Age 43, female. Domestic. Primary site:—Anus. Secondary:—Inguinal glands. Cachexia and ulceration. Slight obstruction. Squamous-celled Carcinoma. First operation, March, 1906. Recurrence, April, 1906. Second operation, November, 1906. Portuguese race born in British Guiana.

Case 45.—Reference, 1906. T. 25. Age 42, male. Clerk. Primary site:—Neck (posterior to sternamastoid). No secondary. Ulceration but no Cachexia. Squamous-celled Carcinoma. Duration 5 weeks. White race born in England.

Case 46.—Reference, 1906. T. 26. Age 45, male. Labourer. Primary site:—Face. No secondaries. Ulceration but no Cachexia. Rodent ulcer. Duration unknown. Black race of British Guiana.

Case 47.—Reference, 1906. T. 27. Age 29, female. Domestic. Primary site:—Head of Tibia. No secondaries. No ulceration or Cachexia. Myeloid sarcoma. Duration unknown. Black race of British Guiana.

Case 48.—Reference, 1906. T. 28. Age 32, male. Labourer. Primary site:—Penis. No secondaries. Ulceration. No Cachexia. Squamous-celled Carcinoma. Duration 2 months. Black race of British Guiana.

Case 49.—Reference, 1906. T. 29. Age 43, male. Primary site:—Bladder. Secondary:—Prostate. Ulceration but no Cachexia. Squamous-celled Carcinoma (infiltrating). Duration 3 months. Black race of British Guiana.

Case 50.—Reference, 1906. T. 30. Age 48, female. Primary site:—Breast (Left). No secondaries. No ulceration or Cachexia, Scirrhous Carcinoma. East Indian race.

Case 51.—Reference, 1906. T. 31. Age 46, male. Clerk. Primary site:—Upper lip and nostril. No secondaries. No Cachexia. Ulceration. Rodent ulcer. Duration 10 years. Excised 1901. Recurred 1902. Excised again 1906. White race born in British Guiana (Creole).

Case 52.—Reference, 1906. T. 32. Age 57, female. Primary site:—Cervix uteri. No secondaries. Cachexia and ulceration. Squamous-celled Carcinoma. Duration 9 months. Black race of British Guiana.

Case 53.—Reference, 1906. T. 33. Age 45, female. Primary site:—L. Mamma. Secondary:—Glands in Axilla. No Cachexia. No ulceration. Scirrhous Carcinoma. Duration unknown. East Indian race.

Addendum.

Horse. Age 5 years, female. Primary site:—Intestine. No secondaries. No Cachexia. Advanced ulceration of fungating type. Obstruction present. Spindle-celled sarcoma. Duration 6 weeks. Chronic obstruction of intestine. From America, only in the Colony a few months.

III.

Total number of cases of malignant disease admitted into the Public Hospital, Georgetown, from April, 1906-March 31, 1907. Total number, 140.

It is to be noted that Carcinoma of the penis and of the Cervix uteri is particularly common.

I would draw attention to Case 20, as being a case of malignant disease in a pure aboriginal Indian, which was under observation some time.

K. S. Wise,
Bacteriologist to British Guiana.

DESPATCH

TO THE

GOVERNORS OF THE SELF-GOVERNING COLONIES

RELATIVE TO THE

REORGANIZATION OF THE COLONIAL OFFICE.

Presented to both Houses of Parliament by Command of His Majesty.
November, 1907.

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DESPATCH

TO THE

GOVERNORS OF THE SELF-GOVERNING COLONIES*

RELATIVE TO THE

REORGANIZATION OF THE COLONIAL OFFICE.

My Lord,
Sir,

Downing Street,
September 21, 1907.

Since the Conference of Prime Ministers separated in May, I have had under my consideration the arrangements which would most suitably carry out the pledge which I gave at that Conference so to endeavour to arrange the work and the staff of the Colonial Office as to constitute a separate branch of that office for dealing with the business of the self-governing Colonies and to connect with it a permanent Secretary who, with such assistance as may be found to be necessary, will be specially charged with the duties, retrospective and prospective alike, imposed or contemplated by the periodical conferences.

Before the close of the late Session of Parliament I was able on the 22nd of August to make a brief statement in the House of Lords indicating the lines upon which those arrangements will be based, of which I enclose a copy, and I will now proceed to make some comments upon the scheme for the information of your Prime Minister and his colleagues.

2. The Resolution on the subject which was adopted at the late Conference was as follows:—

> "That it is desirable to establish a system by which the several governments represented shall be kept informed during the periods between the Conferences in regard to matters which have been or may be subjects for discussion, by means of a permanent secretarial staff, charged, under the direction of the Secretary of State for the Colonies, with the duty of obtaining information for the use of the Conference, of attending to its resolutions, and of conducting correspondence on matters relating to its affairs."

I indicated my views on the subject in the following terms:—

> "I am prepared to say that we will endeavour, I think we shall succeed, to so separate the departments of this office that you will have in the office . . . . . a distinct division dealing with the affairs of the responsibly governed colonies"; and again
>
> "What we have in our minds to carry out, and hope to be able to carry out in the future, is that we should appoint a gentleman on our staff to be the Secretary for the Conference, not for one Conference only, but to continue the business as a member of the staff of the office and in a division of the office, as I said before, but that being his specific duty, thereby focussing all the business in the way which I think the members of the Conference in their various resolutions expressed the desire it should be."

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* The despatch was sent to Canada, Australia, New Zealand, Newfoundland, Cape Colony, Natal, the Transvaal, and Orange River Colony.

2030 G 849 Wt 11/07 D & S 5 29848

3. Your Ministers are probably aware that the business of the Colonial Office has been arranged up to the present time mainly on geographical lines, though there is a General Department, to which certain matters common to all the Colonies are referred. This General Department I propose in future to strengthen and enlarge, but otherwise to make the line of division in the office one of status rather than of geography, and to separate entirely the work of the self-governing Colonies from that of the Crown Colonies and Protectorates. The only exception will be in the case of those Crown Colonies and Protectorates in the Pacific and connected with South Africa whose interests are so closely related to those of the adjoining self-governing Colonies that the conduct of their business at this office must necessarily be entrusted to the same hands. The Colonial Office will therefore in future be divided into three branches or departments, one dealing with the self-governing Colonies, a second dealing with the Crown Colonies and Protectorates, and a third —the General Department.

4. The first of these three departments will be known as the Dominions Department, the term being used to differentiate the status of the self-governing provinces of the Empire from that of the Crown Colonies. All the business of every kind connected with the self-governing communities will be included in its scope, though certain matters of general routine must necessarily be shared with the General Department; and the staff of the Dominions Department will, with the exception mentioned above, be in no way concerned with the Crown Colonies.

All questions of emigration will be referred to this Department, and it will keep in close touch with the Commercial Intelligence Committee of the Board of Trade.

5. The Secretariat of the Imperial Conference will be linked to this Department, without being entirely merged in it. The Secretary will be a member of the Department, but he will also have his own special and separate duties; and he will have, as occasion requires, direct access to the Secretary of State. I suggest, as a matter of convenience, and also in order to emphasize his position, that on all matters of routine arising out of and connected with the Imperial Conference, the Secretary and the Colonial Ministries shall correspond directly with each other, the correspondence in all cases passing under flying seal between the Secretary of State and the Governor-General or Governor. I shall also be glad to learn to what extent your Ministers may desire to suggest that the High Commissioner or Agent-General in this country should act as an alternative channel of communication, as I am anxious to establish close and harmonious relations between them and the Secretariat. The Secretariat, either directly or through the Dominions Department, will be represented on, or closely allied to the Commercial Intelligence Committee.

6. The second department of the Colonial Office, which will be styled the Colonial or Crown Colonies Department, will deal with all the administrative and political work of the Crown Colonies and Protectorates which forms a great and growing charge; and the third, or General Department, will be also the Legal Department, and, in addition to the general routine business of the office, which is now transacted by it, and to all personal questions arising in the Crown Colonies, will deal with various matters common to all the Crown Colonies—such as currency, banking, postal and telegraph matters, education, medical and sanitary questions, pensions, patronage, and so forth. In connection more especially with this Department four standing committees will be established, viz., a Patronage and Promotions Committee, a Railway and Financial Committee, a Concessions Committee, and a Pensions Committee.

7. The permanent staff of the Colonial Office includes at the head of the office the Permanent Under-Secretary of State and four Assistant Under-Secretaries. The Permanent Under-Secretary of State will remain as now the permanent head of the whole office and the principal adviser of the Secretary of State. The four Assistant Under-Secretaries will be allotted as follows. Mr. Antrobus will take control of the Crown Colonies Department with its very heavy and important work. Mr. Cox will have control of the General Department; he will as a rule preside over the Standing Committees; and, as Legal Adviser, his services will, as now, be utilized in connexion with all the departments. The Dominions Department will be under the control of the Senior Assistant Under-Secretary, Mr. Lucas, and with him will be associated Mr. Just, the junior Assistant Under-Secretary, whom I have nominated to be Permanent Secretary to the Imperial Conference. Mr. Lucas's long experience of Colonial administration in this office is supple-

mented by special knowledge of emigration questions: and he will bring to bear upon his new duties many years' close study of Colonial history. Your Ministers need not be reminded that Mr. Just was one of the Joint Secretaries to the late Conference: he has served in the Colonial Office since 1878, acted as Assistant Secretary to the first Colonial Conference in 1887, and has had personal experience of South Africa. He is, in my opinion, well qualified for the important post to which I have appointed him, and I am confident that on his part and on the part of those who will assist him every effort will be made to carry out the work of the Secretariat with efficiency and success.

8. Such is an outline of my proposals for re-arranging the work of the Colonial Office. They are made in the strong desire to promote the interests of all parts of the Empire and to produce efficient and sympathetic treatment of the manifold questions that arise. I ask for, and I am confident that I shall receive, cordial co-operation from all concerned.

I have the honour to be,
My Lord,
Sir,
Your most obedient humble servant,
ELGIN.

Enclosure.

"Hansard," Vol. CLXXXI., pp. 1067-1071.

Business of Self-Governing Colonies.

The Earl of Jersey: I desire to ask the noble Earl the Secretary of State for the Colonies the Question which appears in my name, viz.:—

> "If he is in a position to communicate to the House the steps for the better ordering of the business of the Self-Governing Colonies, and of the Imperial Conferences which at the recent Conference he stated to be in contemplation."

In asking this Question, I will only say that at the recent Conference a strong desire was expressed that there should be some re-arrangement at the Colonial Office which would enable that Office to be in closer touch with the Self-Governing Colonies, and also to provide for the work of the Imperial Conferences. That matter was left with the noble Earl, the Secretary of State. It could not be left in better hands.

The Secretary of State for the Colonies (The Earl of Elgin): I need not say that I shall be as succinct as possible at this hour of the night. But, as the noble Earl has said, this is a matter which has attracted a good deal of attention, not only in this country, but also in the Colonies, and I should like, as I am now able to do, to give some explanation as to the steps which we propose to take. The first resolution which was adopted by the late Conference had in it a passage which I desire to quote. It said—

> "That it is desirable to establish a system by which the several Governments represented shall be kept informed during the periods between the Conferences in regard to matters which have been or may be subjects for discussion, by means of a permanent secretarial staff, charged, under the direction of the Secretary of State for the Colonies, with the duty of obtaining information for the use of the Conference, of attending to its resolutions, and of conducting correspondence on matters relating to its affairs."

This proposal was submitted by myself on behalf of His Majesty's Government, and therefore what I have to do is to say how I propose to redeem the promise which I then gave. It will be remembered that there were other proposals before the Conference on this subject. There were resolutions which had been prepared by the Colonies of Australia and New Zealand and the Cape, and the propositions embodied in them were supported by the representatives of those Colonies at the Conference. They suggested the appointment of a Secretariat, independent of the Colonial Office, by the Conference itself. To that arrangement His Majesty's Government took exception on the ground that it was entirely inconsistent with the Ministerial responsibility which exists, not only in this country, but also in each and every Colony which enjoys self-government, and we were supported in that view by several members of the Conference, and especially by the Prime Minister of Canada, Sir Wilfrid Laurier. Sir Wilfrid Laurier speaks with so much authority and distinctness that I desire to give his opinion in his own words. Sir Wilfrid Laurier said—

> "I am quite satisfied upon the principle conceded, that what is done is to be done on direct responsibility. That is the only subject, as orginally proposed, to which I demurred, because it seemed to be the creation of an independent body. The moment it is recognised here that it is to be under direct responsibility, I am satisfied. I am quite prepared to accept the new principle, but I would not like to commit myself immediately to the drafting of the resolution, which perhaps may be improved."

Now, my Lords, I cannot refer to any division list—we fortunately did not take many formal divisions at the Conference—but the fact remains that though the representatives of the Colonies to which I have referred supported their own propositions, the resolution which I have quoted was finally adopted without a dissentient voice. I am obliged, however, to trouble the House with another quotation, because the concise language of the resolution itself might otherwise not be so clearly understood. In the course of the discussion I endeavoured to remove, so far as I could, any ambiguity as to the intentions of His Majesty's Government. On the first day I defined our position as follows. I said—

> "If you accept our proposition that we should with Ministerial responsibility provide the link which you desire, and which we think you reasonably desire, between Conference and Conference, you should allow us a free hand in other respects. . . . The proposition which I put forward I put forward on my own responsibility as Secretary of State for the Colonies, but with the assent of my colleagues, and I hope therefore that the Conference will give it at least as favourable consideration as possible. . . . We will endeavour, I think we shall succeed, to so separate the departments of this office that you will have in the office in the form which we shall present it to you, a distinct division dealing with the affairs of the responsible governed Colonies. I will not say it will be exactly apart, because there is, and must be, at the head, at any rate, a connecting link between the several parts of any office, but there will be one division which you will feel will be concerned with the business of all the self-governing Colonies, and not directly with that of the Crown Colonies."

On the second day I found it necessary to add a further explanation, and I said—

> "What we have in our minds to carry out and hope to be able to carry out in the future, is that we should appoint a gentleman on our staff to be the secretary for the Conference, not for one Conference only, but to continue the business as a member of the staff of the office and in a division of the office, as I said before, but that being his specific duty, thereby focussing all the business in the way which I think the members of the Conference in their various Resolutions expressed the desire it should be. That is what we hope to do, and that is the reason we use the expression 'secretarial staff.' You quite understand, I think, that we can make that arrangement without interfering with the responsibility or organisation of the office, but still in such a manner, I think, so far as it is capable of being done within the walls of the office, as to meet the wishes that the other members of the Conference have expressed. That is the meaning of the expression."

Upon that Sir Wilfrid Laurier remarked—

> "I do not care how it is expressed, so long as it is on Ministerial responsibility, that is the only thing I attach importance to."

I think, therefore, my Lords, I have made it quite clear that the idea of an independent body was not entertained by the Conference, and in the second place that the idea of a scheme within the walls and under the responsibility of the Colonial Office was fully before the Conference and was entertained. That being so, the only scheme which I can be expected to lay before your Lordships this evening is one on those lines. I shall not detain the House by any description of the organisation of the Colonial Office as it is now. It may suffice to say that the geographical divisions into which it was, I think, originally divided have become somewhat obscured by the gradual accretions of spheres of duty in many parts of the world, and it is not very easy now to define any very distinct principle on which it is organised. The work generally, however, is divided into four Departments under the four assistant Under-Secretaries of State, above them standing the permanent Under-Secretary as the head of the Office, and a link between them and the Secretary of State. I hope that will be sufficient in order to make the change we now propose to introduce intelligible to your Lordships. What we propose to do is to divide the office into three Departments instead of into four, The first of these Departments we propose to term the Dominions Department. It will deal exclusively or practically so with the self-governing Dominions beyond the seas. The only work outside the business of those Dominions would be that originating in certain Protectorates or Possessions which are geographically or otherwise connected with the Dominions. I may mention as instances in point, at this present moment, the Protectorates in South Africa under the charge of the High Commissioner, and the islands of the Pacific. The other Departments do not, of course, come directly under the question of the noble Lord, and so I shall not deal with them in any detail, but I may mention that we propose to term the second Department the Colonial Department. It will, of course, deal with the Crown Colonies, and it will be a very heavy Department on account of the immense amount of administrative work and control involved in the management of the many Crown Colonies and Possessions of the Crown, and the ever-increasing importance and value that attaches to them. The third Department will be called the General Department. It will deal with the legal, financial, and other general business of the Office, and I may mention that under this Department we propose to establish a new feature in the shape of certain Standing Committees to take a collective view of such matters as contracts, concessions, mineral and other leases which come to us from all parts of the world, and also the matter of patronage, which is one of considerable importance and delicacy in the Colonial Office. This is the arrangement of the business of the Office which we propose to introduce, stated in general terms. I shall not trouble the House with any details, but I will just simply say, to prevent any misunderstanding, that we are not dealing only with the superior officers, but we are working out a reorganisation throughout with all the necessary divisions and sub-divisions.

I proceed to the other branch of the subject, which is the personnel, and I propose to place at the head of the Dominions Department the senior assistant Under-Secretary of State. Mr. Lucas is a gentleman of very high academical and literary distinction, who has managed, even amongst the preoccupations of his official duties, to find time for works of merit on Colonial and especially on Canadian history. He has had a long experience of Colonial administration and his attractive and sympathetic personality has made him many friends in every quarter. I am certain that the task of recommending this new Department to our brethren beyond the seas can safely be entrusted to him. Second to this appointment and probably one which will attract even more interest is the nomination of the Secretary to the Conference. I have already quoted what I said to the Conference in regard to this matter. My promise was to take from our own staff a gentleman for the special duties arising out of the work of the Conference connected with what had passed and leading up to the future. I say at once that this post ought to be filled by a man of proved ability, of wide experience, and of a standing which will justify him in having access, whenever necessary, direct to the Secretary of State. I am glad to say that I can secure at once continuity from Conference to Conference. I feel that I am able to promote to this new post the gentleman who occupied the position of Joint-Secretary to the late Conference. Mr. Just has an experience of Colonial affairs which is second to none, and a special knowledge of South African business, having visited the country himself when the Secretary of State of the time paid a visit to it. He has an unsurpassed capacity for work, and the Papers which he prepared for the last Conference were never mentioned without its members expressing their appreciation. He holds the rank of Assistant Under-Secretary, and I claim that in appointing him to this post I am appointing a man of experience, of merit, and of position which ought to secure for it the esteem which its best friends desire. I will not go further to-night; I will not mention other members of the staff by name, but I will only just observe that I feel I shall be able to find men in our Service who have visited the self-governing Colonies, and I shall be only too glad to profit by their experience.

I think it right to make one remark as to a very unfair prejudice which is sometimes excited by semi-contemptuous references to Colonial Office Clerks. That is an expression calculated to mislead, but I am sure it will not mislead in this House. It is well known by all who care to know that the higher ranks in the Public Service of this country are filled by members of the great Civil Service of which this country is proud, and from which the requirements of India, as well as of England, are met by the same examination and from the same lists. The gentlemen in the Colonial Office have passed the severest educational tests, many of them possess University distinctions, and they are men who have ungrudgingly devoted the best years of their life to work which no doubt has moments of great interest and excitement, but which is, after all, apt to be monotonous and is certainly arduous, unceasing and responsible beyond that of most men. I would only remark that that career is open to all subjects of His Majesty, and is open to our brethren beyond the seas if they choose to qualify themselves for it, and, as I ventured to say in the Conference, possibly under the influence of the Rhodes Scholarships more Colonials will enter our ranks. We shall be only too happy to give them a welcome. I would only say just one word in conclusion. I have pointed out that it was the decision of the Conference itself which limited me definitely to the line of advance which I have pursued. I maintain that I have carried out my mandate fully and without reserve, and though I am not without sympathy with those who think that there are more advanced posts that might be occupied at some future time, I venture to say that we have at the present moment taken possession of the most advanced post which we can safely occupy. After all, representative institutions are the truest defences of our liberties, and we must make the machinery of government conform to the requirements of the representative institutions which we possess. I think I have now given the noble Lord all the information which at this time to-night it is reasonable to inflict upon the House.

THE EARL OF JERSEY: I think the statement the noble Earl has just made clearly shows that he has carried out what seems to have been the understanding, judging by the Blue-Book, at the recent Conference. I believe also his decision to have a Dominions Department for the self-governing Colonies will be received with great satisfaction in other parts of the Empire. I was also glad to hear him say a word on behalf of the staff of the Colonial Office. It is true that sometimes criticisms are passed on the staff, but, after all, criticisms are passed on the very best of staffs, and they no doubt sometimes arise because people do not get exactly what they want. Those who have had the opportunity of dealing with the Colonial Office, whether as regards the Chief or those who serve under him, will say that they have always met there with the greatest ability and also the greatest courtesy, and I trust in the Dominions of the Crown the same satisfaction will be felt as I feel with the remarks which the noble Earl has made with regard to his decision in the re-arrangements of his office.

COMPULSORY NATIVE LABOUR (COLONIES).

RETURN to an Address of the Honourable The House of Commons dated 27 March 1907;—*for*,

"RETURN showing (a) the names of the various Colonies or British Possessions in which Compulsory Native Labour is employed, and upon what work, distinguishing the class of Native, namely, nationality or tribe; (b) whether the Natives so employed are liable to be employed outside the districts in which they usually reside; (c) the number of such Natives respectively; (d) the conditions under which Natives so employed are housed or live, whether in fenced or enclosed areas or otherwise, also stating whether any restrictions are placed upon their individual liberty at times other than when they are engaged on their ordinary daily labour; (e) what, if any, regulations exist and are in practice for the punishment of such Natives respectively for desertion or misconduct, stating the nature of the offence and punishment, and if such regulations and practice have had the sanction of the Government or governing authority of the Colony or Possessions; (f) at what date and under what legal enactment, if any, the system was introduced."

Colonial Office,
29 January 1908.

FRANCIS J. S. HOPWOOD.

(*Mr. Molteno.*)

Ordered, by The House of Commons, *to be Printed*,
31 *January* 1908.

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COLONIES (GENERAL).

Return relative to Native Compulsory Labour.

NOTE.—No system of Compulsory Native Labour exists in the following British Colonies and Protectorates :—

Bahamas.
Barbados.
Bermuda.
British Guiana.
Canada.
Cape of Good Hope.
East Africa Protectorate.
Falkland Islands.
Gibraltar.
Hong Kong.
Jamaica and Turks Islands.
Malta.
Mauritius.
Newfoundland.
New South Wales.
New Zealand.
Nyasaland Protectorate.
Orange River Colony.
Papua.
Queensland.
St. Helena.
Seychelles.
Sierra Leone.
Somaliland Protectorate.
South Australia.
South Africa (Basutoland, Bechuanaland Protectorate, and Rhodesia).
Straits Settlements.
Tasmania.
Transvaal.
Trinidad.
Victoria.
Weihaiwei.
Western Australia.
Windward Islands.

No. 1.

The SECRETARY OF STATE to the OFFICERS ADMINISTERING the GOVERNMENTS of COLONIES and PROTECTORATES and the HIGH COMMISSIONER of CYPRUS.

(Circular.)

SIR, Downing Street, April 18, 1907.

WITH reference to my circular despatch of the 14th of March 1906,* I have the honour to enclose [for communication to your Ministers] the terms of an Address for a Return to the House of Commons with regard to Compulsory Native Labour, and to request you to [invite them to arrange] [give instructions] for the information as regards the Colony [Protectorate] under your government, to be collected under the several heads specified in the Address, and transmitted to me at an early date.

I have, &c.
ELGIN.

Enclosure in No. 1.

COMPULSORY NATIVE LABOUR (COLONIES).

House of Commons.

Wednesday, 27th March 1907.

Resolved—That an humble Address be presented to His Majesty, that he will be graciously pleased to give directions that there be laid before this House, a Return showing (*a*) the names of the various Colonies or British Possessions in which Compulsory Native Labour is employed, and upon what work, distinguishing the class of Native, namely, nationality or tribe ; (*b*) whether the Natives so employed are liable to be employed outside the districts in which they usually reside; (*c*) the number of such Natives

* No. 1 in [H.C. 357].

respectively; (*d*) the conditions under which Natives so employed are housed or live, whether in fenced or enclosed areas or otherwise, also stating whether any restrictions are placed upon their individual liberty at times other than when they are engaged on their ordinary daily labour; (*e*) what, if any, regulations exist and are in practice for the punishment of such Natives respectively for desertion or misconduct, stating the nature of the offence and punishment, and if such regulations and practice have had the sanction of the Government or governing authority of the Colony or Possessions; (*f*) at what date and under what legal enactment, if any, the system was introduced.

Ordered, That the said Address be presented to His Majesty by such Members of this House as are of His Majesty's Most Honourable Privy Council or of His Majesty's Household.

C. P. Ilbert,
Clerk of the House of Commons.

No. 2.

GAMBIA.

The GOVERNOR to the SECRETARY OF STATE.
(Received June 7, 1907.)

Government House,
Bathurst, Gambia,
May 23, 1907.

My Lord,

I have the honour to acknowledge the receipt of your Lordship's despatch circular of the 18th ultimo, enclosing the terms of an Address to the House of Commons on the subject of Compulsory Native Labour.

2. In reply, I beg to enclose the information asked for, which has been collected for me by the Chief Magistrate and Legal Assistant.

3. As I believe your Lordship is aware, when the Governor or any official travels, it is customary for the different villages adjacent to the route taken to provide the necessary carriers, and for this service a gratuity is always given, but I hardly think this can be taken to be compulsory labour in the sense in which it is regarded in the Address.

I have, &c.
GEORGE C. DENTON,
Governor.

Enclosure in No. 2.

(*a*) Gambia Protectorate:—

1. The construction of such roads and bridges as the Governor may direct, and the keeping of the same in good order and repair to the satisfaction of the Commissioner of the district.
2. The construction of such wells as the Commissioner may direct, and the maintenance of the same in a sanitary condition.
3. The preservation of boundary pillars in or adjacent to the district, and the prevention of the same being overgrown by vegetation.
4. The prevention of the accumulation of rubbish or any nuisance in the neighbourhood of dwelling-houses or in any place where the same may be injurious to health or offensive to the public.

5. The clearing of a space of 50 yards round towns and villages during the month of November in every year, and the keeping of the same clear until the month of June next ensuing.

All male able-bodied inhabitants of a district, without distinction of class, tribe, or nationality, are liable to be called upon to assist in the performance of the above works by the head chief, who apportions and allots the work, and generally makes all necessary arrangements for its performance.

(*b*) The natives are not required to work outside the district in which they usually reside.

(*c*) All able-bodied males.

(*d*) The people who perform the above works, being the ordinary inhabitants of the country, live in their own dwellings. No restriction is placed on their individual liberty or freedom of action other than the imposition of the above duties.

(*e*) Persons disobeying or neglecting to comply with the lawful orders of a head chief, when called upon by him to assist in the above works, are liable to a penalty not exceeding 20*l*., or, in default of payment thereof, imprisonment, with or without hard labour, for a period not exceeding six months. This is provided by an Ordinance of the Colony and rules made thereunder by the Governor-in-Council.

(*f*) The Protectorate Procedure Rules, 1905, passed on the 28th April 1905.

No. 3.

SOUTHERN NIGERIA.

The ACTING GOVERNOR to the SECRETARY OF STATE.

(Received June 17, 1907.)

Government House, Lagos,
Southern Nigeria,
May 24, 1907.

My Lord,

In reply to your Lordship's Circular Despatch of the 18th April, I have the honour to inform you that, under Southern Nigeria Proclamation, No. 15, of 1903, of which I enclose a copy, the High Commissioner (now Governor) can call out labour for the clearing of creeks and waterways. The labour is called only from villages adjacent to the creek or waterway, and a small remuneration is invariably paid.

2. Irrespective of this order, native law and custom enact that roads and waterways shall be kept up by the members of the native communities benefited thereby, each chief or headman being responsible for clearing his section.

3. There is no other form of compulsory labour in force.

I have, &c.
J. J. THORBURN,
Acting Governor.

Enclosure in No. 3.

(Extract.)

No. 15.] [1903.

A PROCLAMATION enacted by Sir Ralph Denham Rayment Moor, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, H.B.M. High Commissioner of the Protectorate of Southern Nigeria, &c., &c., &c.

(L.S.) R. MOOR, High Commissioner.

WHEREAS it is expedient to make provision for the maintenance of roads and creeks in the Protectorate:

Be it therefore enacted as follows:—

* * * * *

Power of Chief to require men and women to work on rivers, creeks and roads. Penalty.

5.—(*a*) Every chief may require all able-bodied men between the ages of 15 and 50, and all able-bodied women between the ages of 15 and 40, residing within his jurisdiction, in person or by substitutes, to work in accordance with his directions on any river, creek, or road, or any part of any river, creek, or road mentioned in any notice given to him, as aforesaid, on such days as such chief shall require, not exceeding six days in each quarter of a year.

(*b*) Every man and woman aforesaid who shall neglect or refuse, either in person or by a substitute, to work when so required by his or her chief on any river, creek, or road, or shall, when working, disobey any lawful directions of such chief, shall be liable on conviction to a fine not exceeding 1*l*., or to imprisonment for any term not exceeding one month, with or without hard labour.

* * * * *

Given under my hand and the Seal of the Protectorate of Southern Nigeria this third day of February, in the year of our Lord one thousand nine hundred and three, and in the third year of His Majesty's reign.

R. MOOR,
High Commissioner.

No. 4.

CEYLON.

The GOVERNOR to the SECRETARY OF STATE.

(Received June 17, 1907.)

King's Pavilion, Kandy, Ceylon,
May 28, 1907.

MY LORD,

I HAVE the honour to acknowledge the receipt of your Lordship's Circular Despatch of 18th April enclosing the terms of an Address for a Return to the House of Commons with regard to Compulsory Native Labour, and asking that the required information as regards this Colony may be furnished at an early date.

2. The Return asked for does not appear to be applicable to Ceylon, where there is no Compulsory Native Labour, except that required by the Village Committees Ordinance (No. 24 of 1889), which is applied to the construction and maintenance of certain village works, and that required by the Thoroughfares Ordinance (No. 10 of 1861), which is applicable, not merely to "Natives," but to all residents of whatever nationality with certain specified exceptions of individuals.

3. Copies of the Ordinances* are enclosed for your Lordship's information.

I have, &c.
HENRY A. BLAKE,
Governor, &c.

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* Extracts reprinted.

Enclosure 1 in No. 4.

(Extract.)

ORDINANCE enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 10.—1861.

CHARLES JUSTIN MACCARTHY.

To consolidate and amend the Laws relating to Public Thoroughfares in this Colony.

WHEREAS it is expedient to consolidate and amend the laws relating to public thoroughfares in this Colony, and to make other provisions respecting the same; it is enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows :— Preamble.

* * * * *

Performance of Labour.

49. Every male inhabitant between the ages of 18 and 55 years shall be liable to perform six consecutive days' labour in each year upon the thoroughfares in this Colony, or on works necessary for the formation, repair, or improvement thereof, or in the collection and preparation of materials required for any such purpose, or on any work sanctioned by the Legislative Council under the authority of this Ordinance. Male inhabitants between 18 and 55 years liable to perform labour on the roads.

50. The following persons are exempted from the liability to labour imposed by the preceding section :— Exemptions.

(1) The Governor.
(2) All officers, non-commissioned officers, and soldiers belonging to the Staff, or to any regiment or corps of Her Majesty's Army serving in this Colony.
(3) Buddhist priests.
(4) Pioneers in the employ of Government.
(5) Indian coolies in search of or employed in agricultural labour in this island.

51. It shall be lawful for the District Committee upon proof to their satisfaction that any person resident within the district and liable to the performance of labour is, either from disease, or bodily or mental infirmity, incapable of performing the same, to exempt such person from the performance thereof, either for life, or for such period as they may think fit. District Committee to exempt persons incapable of labour.

52. No person liable to perform labour shall be required to attend for the performance thereof on a Sunday, nor except during the customary hours of labour; nor on any principal thoroughfare which shall be at a greater distance than 15 miles from his residence, nor on any minor thoroughfare which shall be at a greater distance than seven miles from such residence. Time and place of attendance to perform labour.

53. Every division officer on being directed so to do by the District Committee shall give notice to the inhabitants of his division liable to perform labour, who have not elected to commute the same, to attend and perform such labour at the time and place, and in the rotation, appointed by the District Committee. And such notice shall be given by publication, by beat of tom-tom in the division, a reasonable time before the day appointed for the attendance of such inhabitants, and by affixing copies of such notice at convenient places within such division; or otherwise, by serving on any or all of such inhabitants, a notice to each person to attend, if the District Committee shall so order. Division officer to give notice to inhabitants to attend and perform labour due.

54. Any person liable to perform labour as aforesaid and who has not elected to commute, who shall without lawful excuse (the proof of which excuse shall lie on the party accused), fail to attend to perform such labour at the time and place appointed for that purpose, shall be liable to a fine not exceeding one pound. But it shall be the duty of the division officer, before commencing any prosecution in that respect, to report every such absent person to the District Committee, who, after inquiry into the circumstances, may either direct a prosecution against any such person for the offence by him committed, or require such person, on pain of prosecution for the offence, to make instant payment, by way of fine for his neglect, of a sum equal to double the amount of commutation in the province or district in which such person resides, and in default of such payment, may direct such prosecution to be instituted as aforesaid. And if such fine be duly paid no further proceedings shall be had against any such person for the offence aforesaid; nor shall he be liable to perform any labour for the year; but payment of any such fine shall not be allowed to be made after the institution of any prosecution aforesaid. Punishment for not attending to perform labour due. Division officer to report absentees to District Committee : Who may direct prosecution or impose a fine. If fine paid no further proceedings to be taken.

55. If any person attending to perform the labour due by him shall, without lawful excuse (the proof of which excuse shall lie on the party accused) neglect or refuse to remain in attendance during the working hours or to perform a reasonable amount of work; or shall be guilty of any drunkenness, wilful neglect, or disobedience of the orders of the officer in charge of the work on which he shall be employed, or of idleness, or of not taking due care of the tools and implements entrusted to him, or of any other misconduct in the performance of the labour required of him; every such person shall be liable, for every such offence, to a fine not exceeding two pounds. Punishment of persons guilty of misconduct in the performance of the labour due by them.

56. It shall be lawful for any person who has not elected to commute, to cause the labour due by him to be performed by a substitute, approved by the Chairman of the District Committee, or by the officer in charge of the work on which he is to be employed. And the provisions of this Ordinance applicable to persons liable to perform labour shall be deemed to apply to their substitutes. Labour may be performed by substitute.

District Committee may pay subsistence money.

57. It shall be lawful for the District Committee, upon the application of any person who may be employed upon any work, to pay to such person as subsistence money for every day that he may be so employed, a sum equal to one-half of the ordinary rate of a coolie's wages, in the district in which such work shall be situated. Provided that any person applying for and receiving such payment shall be liable to the performance of 12 consecutive days' labour exclusive of Sundays in the same year, and shall be subject to the provisions of sections 54 and 55 in respect of any offences therein mentioned.

District Committee to determine questions of age or rate of commutation or distance.

58. If any person shall claim to be exempted from the performance of labour by reason that his age is less than 18 years or exceeds 55 years, or if at any time complaint shall be made that any person has been unduly exempted therefrom upon the like plea; or if any question shall be raised as to the rate of commutation which ought to be paid by any person for the labour due by him; or if any person shall refuse to labour upon any work upon the plea that the same is situated at a greater distance from the place where he resides than that prescribed by this Ordinance, it shall be lawful for the District Committee of the district to which any such person shall belong to make such inquiry as they shall deem necessary, and to determine any such question; and the decision of such Committee shall be final.

Commutation of Labour.

Permission to commute.

Rate.

Present rates to continue payable until altered by the Governor.

59. It shall be lawful for any inhabitant to commute the performance of the whole of the labour due by him for any year by a money payment of three shillings for such year, or of such other sum not exceeding three shillings as the Governor, with the advice of the Executive Council, may from time to time appoint in respect of the province or district in which such inhabitant resides. Provided that the rates of commutation now payable in any province or district shall continue to be levied therein until altered by proclamation.

Person having once elected to commute shall be liable for the annual amount of commutation until he gives notice to the contrary.

60. Any person who has heretofore commuted under Ordinance No. 8 of 1848, or shall hereafter elect to commute the labour due by him for any year, shall, without any further notice to or election by him in that behalf, be deemed and taken to have elected to commute the labour to become due by him for every succeeding year, and shall be liable for the amount of the annual commutation in respect of such labour, unless and until he shall have given notice in writing to the District Committee, one month at least before the end of the year in which any such notice may be given, that he no longer wishes to commute; whereupon a memorandum to that effect shall be made in the list of persons who have elected to commute, kept in the office of such District Committee, and notice thereof shall be given by the said Committee to the proper division officer, who shall make a similar entry in the list kept by him.

Commutation amount to be paid on demand of division officer.

61. The amount due by any person as commutation for the labour of any year shall be deemed and taken to be a debt to Her Majesty, Her heirs and successors, and shall be payable to the division officer of the division in which such person resides, at the time such person elects to commute, or afterwards on or before the first day of April in each year to such division officer, or to any person authorised by him to receive the same, and who shall give a receipt for the amount due signed by such division officer.

Division officer to grant receipt for commutation money, and pay it over to the District Committee.

Money to be at disposal of Chairman of Provincial Committee.

Receipts, &c., free of stamp duty.

62. Every division officer shall grant a receipt for any commutation money received by him to the person making such payment; and shall pay over all sums received by him as division officer, to the District Committee, at such times and in such manner as such Committee shall direct. And all such sums shall forthwith be deposited in the Cutcherry, to the credit of the Chairman of the Provincial Committee; and the order of such Chairman for the payment of any money, together with the receipt of the party to whom the same is paid in pursuance thereof, shall be a full and sufficient authority and discharge for any such payment. And all such receipts and orders for payment as are mentioned in this section shall be free of stamp duty.

Proceedings in case of default.

63. After the first day of April in every year, it shall be lawful for the District Committee to cause a notice to be given, by beat of tom-tom or in such other manner as the Committee shall deem expedient, requiring those who have failed to pay to the division officer as herein-before provided, forthwith to pay the amount due by them respectively, and a further sum of sixpence to such Committee, and intimating that if the same be not paid before a day to be mentioned in such notice, an order will be issued for the summary recovery of double the amount of commutation.

Double the amount due additional to be summarily recovered.

64. If any person shall not pay the amount due by him as commutation, and the further sum of sixpence to the said Committee, before the day specified in the notice mentioned in the preceding section, it shall be lawful for the Chairman of such Committee, to transmit to the police magistrate of the district in which such person resides an order (B) directing payment of double the amount so due to be made into the police court of such district, and the said police court shall proceed to enforce the same, and to deal with the person liable to make the same, in such manner as if a penalty for like amount had been imposed on him by the said police court. The sums so recovered shall be paid over to the Chairman of the District Committee, and shall be brought into account by him as sums recovered for and in respect of commutation money. Provided that such recovery shall be no bar to any action by such person against the division officer or District Committee for damages on the ground that such recovery was unlawful.

Punishment for fraudulently lending or using commutation receipts.

65. If any person who has paid the amount due by him as commutation shall deliver any receipt given him by the division officer to any other person, in order that such last mentioned person may make use of the same in proof of his having paid any sum of money due by him, or for any other fraudulent purpose, both the person lending such receipt to another for any such purpose, as well as the person deceitfully making use of the same as a receipt granted to him, shall be guilty of an offence and be liable to such punishment as the court before which he is tried shall impose.

Execution of Works.

Management of works on principal thoroughfares to be vested in Provincial Committee.

66. The direction and control of any work directed by the Governor and the Legislative Council to be undertaken under this Ordinance upon any principal thoroughfare shall be vested in the Provincial Committee; the execution, however, of such work being left to the Commissioner of Roads for the time being, or such other officer as the Governor may direct. And the Provincial Committee shall, as herein-after provided, furnish the said Commissioner of Roads or other officer with the amount of labour voted by the said Council for every such work, or shall from time to time pay for such labour out of the sums received by them in commutation of labour due under this Ordinance.

Provincial Committee to fix commencement of work.

Provincial Committees to apportion labour: And inform District Committee of the apportionment.

67. The Provincial Committee shall, as soon as may be after any work shall have been directed by the Governor and the Legislative Council to be undertaken upon any principal thoroughfare or proposed principal thoroughfare, inform the Commissioner of Roads or other officer, of the time at which they propose to commence such work. And it shall be lawful for such Provincial Committee, and they are hereby required to determine, as to them shall appear expedient, the amount of the labour due from each division within their province, to be applied to each such work. And the Provincial Committee shall inform each District Committee of the amount of labour to be furnished by each division in conformity with such appropriation. And such District Committee shall forthwith cause notices thereof to be affixed to such conspicuous places within the respective divisions as to them may appear expedient.

District Committee to have control of one-third of labour.

68. The District Committee shall, subject to the approval of the Provincial Committee, have the application, direction, and control, as well as the superintendence of the amount of labour not appropriated for works undertaken upon principal thoroughfares.

Officer in charge of work to grant certificate of performance of labour.

Penalty for improper refusal of certificate.

Punishment for fraudulently lending or using such certificate.

69. The officer in charge of any work to which this Ordinance is applicable shall give to the persons who have duly attended to perform, and have properly performed, the labour required of them by this Ordinance for the year in which they have been so employed, a certificate (C) of the due performance of such labour. And any officer who shall wilfully neglect or delay to grant such certificate to any person justly entitled to receive the same shall be liable to a fine not exceeding five pounds. And any person who shall deliver any such certificate to any other person, in order that such last-mentioned person may make use of the same in proof of his having performed the labour due by him, or for any other fraudulent purpose, both the person lending such certificate to another for any such purpose, as well as the person deceitfully making use of the same as a certificate granted to him, shall be guilty of an offence and be liable to such punishment as the court before which he is tried shall impose.

Officer in charge of work to inform the division officer what persons have performed labour.

70. The officer in charge of any such work as aforesaid shall inform the proper division officer weekly what persons have duly attended to perform, and have properly performed upon such work the labour due by them for the current year, and what persons have refused or neglected to do so.

Proper officers empowered to enter upon lands for repair, &c., of thoroughfares:

71. It shall be lawful for such officer, and for the servants, workmen, and labourers employed by or under him, at all times and with all necessary and proper carriages and animals and other means, to enter upon any land adjacent or near to any existing or intended thoroughfare, and there severally to do and perform all acts, matters, and things necessary for the purposes of tracing, measuring, making, working, opening, altering, turning, repairing, clearing, improving, or fencing any such thoroughfare, or for building, excavating, repairing, clearing, or improving any bridge, fence, drain, dam, or ditch thereupon, or in any way connected therewith, or for performing any act, matter, or thing under the provisions of this Ordinance.

And to take materials.

Proviso.

72. It shall be lawful for any such officer, with the servants, workmen, and labourers employed by or under him, at all reasonable times and with all necessary and proper carriages, animals, and other means, to search for, dig, cut, take, and carry away any water, timber, brushwood, stone, gravel, clay, or any other materials whatsoever, for the purpose of tracing, measuring, making, working, opening, altering, turning, repairing, clearing, improving, or fencing, or in any way assisting in the tracing, measuring, making, working, opening, altering, turning, repairing, clearing, improving, or fencing any existing or intended thoroughfare, or of building, excavating, repairing, clearing, or improving any bridge, fence, drain, dam or ditch thereupon, or in any way connected therewith, or for the construction or repair of any lines or any buildings whatsoever required on or near any such thoroughfare for the use of any officer as aforesaid, or any workmen, animals, carriages, persons, or things employed in his service, in and from any land adjacent or near to any such thoroughfare, and to carry away the same through the ground of any person without being deemed a trespasser. Provided that no such materials shall be dug for, cut, or taken away, upon or from any yard, avenue to a house, or lawn, or any inclosed garden, plantation, field or wood, without the consent of the owner thereof, unless sufficient materials cannot conveniently be obtained from the neighbouring waste lands, or common, or abandoned grounds; in which case the said officer may take any of such materials where he can conveniently procure the same. Provided also, that reasonable compensation for all materials so taken and for the damage done by the getting and carrying away the same, shall be made to the owner thereof. And provided further, that such officer shall rail or fence off any quarries or pits from which any such materials shall be taken, so that the same shall not be dangerous to any person or animal.

And erect buildings.

73. It shall be lawful for any such officer when tracing, measuring, making, working, opening, altering, turning, repairing, clearing or improving any existing or intended thoroughfare; or building, excavating, repairing, clearing or improving any bridge, fence, drain, dam or ditch thereupon, or in any way connected therewith, to make and erect temporary buildings on any land adjacent or near thereto for the accommodation of such officer, or for the accommodation of the servants, workmen, laborers, animals, carriages or things employed by him during the progress of the work; and to keep duly tethered and stabled all such oxen, horses, and animals as may be

And keep cattle, &c.

employed by him, upon any lands near or adjacent thereto, and to continue so to keep the said oxen, horses and animals on such lands, for such time as may be necessary. Provided that no such building shall be erected, nor any such oxen, horses or other animals kept on any land which shall be under cultivation, nor where there are neighbouring waste lands or common or abandoned grounds available for the purpose; and provided further, that reasonable compensation for any damage done to the land shall in all cases be made to the owner thereof.

And throw rubbish upon adjacent lands.

74. In the tracing, measuring, making, working, opening, altering, turning, repairing, clearing or improving any existing or intended thoroughfare; or building, excavating, repairing, clearing or improving any bridge, fence, drain, dam or ditch thereupon, or in any way connected therewith, it shall and may be lawful for any such officer to throw upon any lands adjacent or near thereto, such earth, rubbish or materials as it shall or may be necessary to remove from the place of any such work.

And make temporary road.

75. It shall be lawful for any such officer to make a road through the grounds adjacent or near to any existing or intended thoroughfare during the execution of any work thereupon or in any way connected therewith; provided such road shall not run over any ground whereon any building stands, nor over an inclosed garden, or yard.

And cut trees.

76. It shall be lawful for any such officer to cut, and remove and place upon any ground adjacent or near thereto, all trees, bushes or shrubs, and all leaves or branches or roots of trees that shall grow in or overhang any throughfare, or cause any obstruction therein; and for that purpose to enter upon any land or premises, with such persons, animals and instruments as may be necessary, and to proceed to do therein all such things as may be necessary for the cutting, lopping, or removing of such trees, bushes, shrubs, leaves, branches or roots.

And put up fences.

77. It shall be lawful for any such officer to put up or make fences, hedges, ditches, drains or banks by the side of any thoroughfare, whenever to him it shall appear necessary, and the owners or occupiers of land adjoining such fences, hedges, ditches, drains or banks shall, and they are hereby required to keep the same in good and substantial repair and order.

And to make and keep open ditches, &c., and to lay trunks, &c.

78. Every such officer shall have power to make, scour, cleanse and keep open all ditches, gutters, drains or watercourses, and also to make and lay such trunks, tunnels, plats or bridges, as he shall deem necessary, for the protection, preservation, improvement, repair or construction of any road or canal, in and through any lands or grounds adjoining or lying near to such road or canal, or intended road or canal.

And to lay stones, &c., on road.

79. Every such officer shall have power to lay any heap of stone, or gravel, or any log of wood, or any other matter or thing whatsoever, upon any road, and to allow the same to remain there, during the time such road is under repair, and for such time before the repairs are commenced, and after the repairs are completed, as may be necessary for facilitating the making of such repairs, or for preventing damage to such recently repaired road; but he shall take due and reasonable precautions for preventing danger or injury to persons passing along such road.

Enclosure 2 in No. 4.

No. 31.—1884.

An Ordinance to amend Ordinance No. 10 of 1861, entitled "An Ordinance to consolidate and amend the Laws relating to Public Thoroughfares in this Colony."

ARTHUR GORDON.

Preamble.

WHEREAS it is expedient to amend Ordinance No. 10 of 1861, entitled "An Ordinance to consolidate and amend the Laws relating to Public Thoroughfares in this Colony:" Be it therefore enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof, as follows:—

Ordinance to be construed as one with Ordinance No. 10 of 1861.

1. This Ordinance, so far as is consistent with the tenour thereof, shall be construed as one with Ordinance No. 10 of 1861, entitled "An Ordinance to consolidate and amend the Laws relating to Public Thoroughfares in this Colony," and in this Ordinance referred to as the principal Ordinance.

Short title.

2. This Ordinance may be cited as "The Road Ordinance, 1861, Amendment Ordinance, 1884."

Division officer to prepare lists of those liable to labour on the roads.

3. Every division officer shall, from the lists mentioned in the 42nd section of the principal Ordinance, as well as from such other information as he may possess, compile and prepare in duplicate a return showing the name and age of every person in his division liable to perform labour on the roads. Provided that it shall not be necessary for the division officer to ask the persons mentioned in such list who are liable to perform labour whether or not they elect to commute the same, anything in section 42 of the principal Ordinance to the contrary notwithstanding.

Returns to be prepared not later than 21st day of December in each year.

4. Such return shall be prepared not later than the 21st day of December in each year, and shall be published in each district on or before the 31st day of January in the following year, by affixing one of the duplicates or a copy thereof to such conspicuous place in the division as the Chairman of the District Road Committee shall appoint.

Duplicate of return to be retained by Chairman of District Road Committee.

5. The other duplicate shall be furnished to and be retained by the Chairman of the District Road Committee.

Publication of returns to constitute notice of liability to labour.

6. The return so prepared shall be signed by the division officer who shall have prepared the same, and, as soon as published in the manner provided for by section 4 of this Ordinance, shall constitute notice to every person named therein of his liability to perform labour; and the production of either of the duplicates shall be conclusive proof of such notice.

Chairman of District Road Committee may exempt from labour on ground of disease or bodily infirmity.

7. It shall be lawful for the Chairman of the District Road Committee, upon proof to his satisfaction that any person resident within the district and liable to the performance of labour is either from disease or bodily infirmity incapable of performing labour, to exempt such person from the performance thereof either for life or for such period as the Chairman of the District Road Committee may think fit.

Every person whose name appears on the returns liable to labour.

8. Every person whose name is inscribed in the returns referred to in section 4 of this Ordinance, and which shall not have been struck off therefrom by the Chairman of the District Road Committee, shall be liable to labour on the roads, and the returns either before or after amendment, should any amendment to them be made, or any copy thereof, certified to be a copy by the Chairman, shall be final and conclusive evidince of the liability to labour of any person whose name shall appear thereon, unless, in case of a copy, it shall be proved to the District Road Committee that such list was not a true copy of the original.

Supplemental returns may be prepared.

9. A supplemental return, should such be found necessary, may be prepared in the same manner as the return mentioned in section 4 of this Ordinance: Provided that such supplemental return shall be published not latter than the 30th day of April in any year, and provided that such supplemental return shall not include any person who was not an inhabitant on the 31st March of that year.

Provisions of this or principal Ordinance relating to returns to apply to supplemental returns.

10. Upon any supplemental return being so publisned, all the provisions of this and the principal Ordinance relating to returns shall apply, so far as may be practicable, to any such supplemental return in the same manner as if such return had been prepared and published under section 4 of this Ordinance.

Performance of labour not to be required on Sundays, nor except during customary hours.

11. No person liable to perform labour shall be required to attend for the performance thereof on a Sunday, nor except during the customary hours of labour.

Persons not to be required to perform labour at greater distances from their residences than that fixed by Governor and Executive Council.

12. No person, except as hereinafter provided, shall be required to attend for the performance of labour on any principal thoroughfare nor on any minor thoroughfare which shall be at a greater distance from his residence than ten miles: Provided that the Governor, with the advice of the Executive Council, may from time to time vary the distance within the limit hereinbefore prescribed.

Notice of when and where to labour to be given to those who are liable to perform labour.

13. Every division officer, on being directed so to do by the Chairman of the District Committee, shall give notice to the inhabitants of his division liable to perform labour, who shall not in the manner hereafter provided have commuted the same, to attend and perform such labour at the time and place appointed by the Chairman of the District Road Committee, and such notice shall be given by publication by beat of tom-tom not less than seven days before the day appointed for the attendance of such inhabitants, and in such other way, if any, as the Chairman of the District Road Committee shall direct. Provided that no such notice shall be given until the time during which a person is, under section 26 of this Ordinance, allowed to commute, shall have elapsed.

Persons failin to attend to perform labour liable to work for double the number of days such persons were originally liable.

14. Any person liable to perform labour, and who has not commuted in the manner hereinafter provided, who shall without lawful excuse, the proof of which excuse shall lie on such person, fail to attend to perform labour at the time and place appointed for that purpose, or who shall fail to pay the amount of commutation money due by him as hereinafter provided, shall be liable, on receiving notice so to do, to labour on the thoroughfares or public tanks of the district in which such person's liability to work arose, for double the number of days for which such person was originally liable: Provided that the limitation as to distance prescribed by section 12 of this Ordinance shall not apply to persons required to perform double labour under this section, but if the distance of the place where such person is called upon to work under this section is greater than that mentioned in section 12 of this Ordinance, such person shall be provided with lodgings by the District Road Committee, and provided that any person who shall have become liable to the performance of the double labour under this section may commute such double labour in the manner hereinafter provided,

Persons guilty of misconduct while at labour liable to increased labour not exceeding three days for each offence.

15. If any person attending to perform labour due by him, whether it be labour for which he was originally liable, or the increased labour by reason of his having failed to attend in the first instance, shall, without lawful excuse, the proof of which excuse shall lie on such person neglect or refuse to remain in attendance during the working hours, or who shall be guilty of any drunkenness, wilful neglect, or disobedience of the orders of the officer in charge of the work in which such person shall be employed, or if not taking due care of the tools and implements entrusted to him, or of any other misconduct in the performance of the labour required of him, every such person shall, after enquiry and on adjudication, be liable to be condemned by the Chairman of the District Road Committee to work for an extra number of days, not exceeding three days for any one of the above offences: Provided that the aggregate amount of punishment imposed upon any one person under the provisions of this section shall not exceed six days labour.

Persons neglecting or refusing to perform double or additional labour to be arrested on warrant of Chairman of District Road Committee.

16. Whenever any person fails after receiving notice to attend, or neglects or refuses to perform or abandons the performance of double labour under section 14, or additional labour under section 15 of this Ordinance, he shall be guilty of an offence, and be liable to the punishment provided by section 18 of this Ordinance, and the Chairman of the Road Committee of the district in which such person is bound to labour is hereby empowered and required, unless such

person be otherwise before him, to issue his warrant for the arrest of such person, which warrant shall be substantially in the form A. of the schedule hereunto annexed.

Persons by whom any such warrant may be executed.

17. Every such warrant of arrest may be executed by the person or persons to whom it is addressed, or by any police officer, headman, fiscal, or fiscal's officer, and every such warrant shall be executable throught the Island without any indorsement, anything in the Ordinance No. 3 of 1883, entitled "An Ordinance for regulating the procedure of the Courts of Criminal Judicature," to the contrary notwithstanding.

Persons arrested to be taken before Chairman of the District Road Committee, and, if found guilty, to be sentenced to imprisonment or to pay penalty.

18. Any person arrested under the provisions of this Ordinance shall be taken without delay before the Chairman of the District Road Committee, according to the terms of the warrant, and the Chairman before whom such person shall be brought, shall enquire into the charge on which such person was arrested, and upon being satisfied that the party arrested is the person against whom the warrant was issued, and that the offence mentioned in such warrant was committed by such person, shall, and is hereby required, by warrant substantially in the form B. of the schedule to this Ordinance, to commit such person to prison, there to be detained at hard labour for the period of one month: Provided that the Chairman before whom any such person shall be brought may, in his discretion, in lieu of committing such person to prison, adjudge him to pay a penalty of 10 rupees, and if such sum be paid forthwith, or within such time as the Chairman may allow, such person shall not be committed to prison, but otherwise he shall, and the Chairman may, if such person shall have been released prior to the payment of such fine when inflicted, issue, if necessary, a warrant for his arrest: Provided that from any decision of the Chairman under this section there shall be no appeal.

Penalty to be credited to Government.

19. Any penalty so recovered shall forthwith be credited to Government, and be deemed and taken to be a payment to Her Majesty.

Warrant of arrest to be issued without any previous summons.

20. The warrant of arrest mentioned in the 16th section of this Ordinance shall be issued as a warrant of first instance, and it shall not be lawful for the Chairman of the Road Committee of a province or the Chairman of a District Road Committee to issue a summons or any other description of notice before issuing such warrant of arrest.

Register to be kept of warrants issued, &c.

21. A register shall be kept by the Chairman of the District Road Committee in which shall be entered a list of all warrants issued under this Ordinance, the reasons for which such warrants were issued, and the punishment inflicted upon the offenders brought up in virtue of such warrants.

Persons condemned under this Ordinance to be sent to prison as ordinary prisoners.

22. Any person sentenced to imprisonment under the provisions of this Ordinance may be imprisoned in the prison of the district wherein he is condemned in the same way as if he had been condemned under the authority of a court, justice of the peace, coroner or deputy coroner, anything in the Ordinance No. 16 of 1877 to the contrary notwithstanding.

District Road Committee may pay subsistence money or provide food to persons performing labour under sections 14 or 15.

23. The District Road Committee shall, upon the application of any person performing double labour under section 14 or increased labour under section 15 of this Ordinance, or whenever such committee may consider it necessary to do so, provide such person for every day that he may labour with either subsistence money equal to one half of the ordinary rate of a coolie's wages, as paid in the district in which such work shall be performed, or with food, according as such committee may deem best; and any person who shall receive subsistence money or food in virtue of this section shall, in addition to the labour for which he was otherwise liable, labour on such works as are mentioned in section 14 of this Ordinance for an extra number of days, exclusive of Sundays, equal to the number of days for which he was liable to double labour or increased labour: Provided that any person shall, during the time that he may be so at labour, be subject to the provisions of sections 14, 15, and 16 of this Ordinance in respect of any of the offences therein mentioned.

District Road Committee to determine questions of age, or rate of commutation, or distance.

24. If any person shall claim to be exempted from the performance of labour by reason that his age is less than 18 years or exceeds 55, or if at any time complaint shall be made that any person has been unduly exempted from labour on a like plea, or if any question shall be raised as to the rate of commutation which ought to be paid by any person for the labour due by him, or if any person shall refuse to labour upon any work upon the plea that the same is situated at a greater distance from the place where he resides than that prescribed, it shall be lawful for the Chairman of the District Road Committee of the district to which any such person may belong, to make such enquiry as he shall deem necessary, and to determine any such question; and the decision of such Chairman shall be final.

Commutation.

Permission to commute.

25. It shall be lawful for any inhabitant to commute the performance of the labour due by him for any one year, except any double or increased labour to which he may have become liable under sections 14 and 15 of this Ordinance, by a money payment of such sum not exceeding two rupees, as the Governor, with the advice of the Executive Council, may from time to time fix in respect of the province or district in which such inhabitant resides: Provided that the rates of commutation hitherto paid under the principal Ordinance shall be levied until altered by proclamation. And it shall be lawful for any person who shall have become liable to the performance of double labour under section 14 of this Ordinance to commute such double labour by the payment of double the amount of the rate of commutation leviable in that district at any time previous to the day on which such person shall have been notified to perform double labour.

Persons desiring to commute when to pay commutation money.

26. Any person desiring to commute the performance of labour by a money payment shall pay the amount due by him on or before the 28th day of February in each year, and up to such date at person shall not be liable to the penalties provided by section 14 of this Ordinance.

Commutation money to be paid to division officer or to Chairman of District Road Committee and to be deemed a payment to Her Majesty.

27. The amount due by any person as commutation money shall be paid to a division officer of the district to which the person liable to pay may belong, or to the Chairman of the Road Committee of the said district, who shall grant a receipt therefor, and any money paid as such commutation money shall be deemed and taken to be a payment to Her Majesty.

Division officer to grant receipts for commutation moneys, and to deposit the same according to the instructions of the District Road Committee.

28. Every division officer shall grant a receipt upon a form issued by and bearing the stamp of the District Road Committee, and shall pay over all such sums received by him as division officer to the District Committee, at such times and in such manner as such Committee shall direct, and all such sums shall forthwith be deposited in the Kachchéri and shall be placed to the credit of the Chairman of the District Road Committee, and the order of such Chairman for the payment of any commutation money, together with the receipt of the party to whom the same is paid in pursuance thereof, shall be a full and sufficient authority and discharge for any such payment, and all such receipts and orders for payment as are mentioned in this or in the next preceding section shall be free of stamp duty.

Persons fraudulently making use of commutation receipts to be prosecuted.

29. If any person, who shall have paid the amount due by him as commutation money under this or the principal Ordinance shall deliver any receipt given to him by the division officer or by the Chairman of the District Road Committee to any other person, in order that such last-mentioned person may make use of the same in proof of his having paid any sum of money due by him, or for any other fraudulent purpose; or if any person shall deceitfully make use of any receipt given to any other person by a division officer or a Chairman of a District Road Committee as a receipt given to him, such persons, or either of them, shall be guilty of an offence, and be liable to such punishments as the court before which they or either of them may be tried shall impose.

Provincial Committee to forward yearly statements of accounts and recommendations for expenditure.

30. Every Provincial Committee shall, on or before the 1st day of August in every year, forward to the Colonial Secretary for transmission to the Governor, a statement exhibiting the amount which the Committee recommend should be expended during the ensuing year, together with a list of the roads, rivers, lakes, canals, rest-houses or other works on which the Committee desire the said amount to be expended.

Governor may amend or alter such statements.

31. Subject to the enactment contained in section 32 of this Ordinance, the Governor may from time to time make any alteration or amendment in any such statement or list which may appear to him necessary, and propose such statements and lists or such amended statements and amended lists to the Legislative Council in the Ordinance providing for the contingent expenditure of the Colony for the ensuing year.

If no statement sent in by Provincial Committee, Governor may prepare statements and submit same to Legislative Council.

32. In the event of any Provincial Committee failing to transmit such statement and list as hereinbefore mentioned on or before the 1st day of August, the Governor may, subject to the enactment contained in the next following section, make such statement and list as he shall consider necessary, and propose the same to the Legislative Council in the manner provided in the next preceding section of this Ordinance.

Amount of labour required for the performance of work, &c., to be stated in Ordinance to be passed for the purpose.

33. Whenever such statements and lists have been proposed by the Governor and approved by the Legislative Council, the amount of labour to be supplied for the performance of any works contained in such approved statements and lists shall be distinctly stated in the Ordinance enacted for the same, and shall in no case exceed two-thirds of the whole amount of labour due from the district or districts within which it may be required to be performed, less two-thirds of the necessary expenditure to be incurred in carrying out the provisions of this and the principal Ordinance.

Repealing clause.

34. Section 18 and sections 51 to 65, both inclusive, of the principal Ordinance, and the provisions of Ordinance No. 5 of 1866, entitled "An Ordinance to facilitate the recovery of moneys due as commutation of the Paddy Tax and of the performance of Labour," in so far as they relate to the recovery of any amount due as commutation under the principal Ordinance or under this Ordinance, are hereby repealed; provided that such repeal shall not affect—

(*a*) The past operation of anything done or suffered under any enactment hereby repealed, nor

(*b*) Any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment hereby repealed, nor

(*c*) Any penalty, forfeiture or punishment incurred in respect of any offence committed against any enactment hereby repealed, nor

(*d*) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture, or punishment as aforesaid.

Ordinance not to operate within limits of municipalities or towns having local boards.

35. This Ordinance shall not apply to nor operate within the limits of any town in which a municipality or a local board shall have been or may be hereafter established.

SCHEDULE A.

WARRANT OF ARREST UNDER SECTION 16 OF ORDINANCE No. 31 OF 1884.

To [*name and designation of person or persons who is or are to execute the Warrant.*]

WHEREAS ——— of ——— is charged with the offence [*here state the offence in terms of sections* 14 *or* 15, *according to the facts, as the case may be*] in breach of section 16 of Ordinance No. of 1884; you are hereby directed to arrest the said ——— and to produce him before me at ———.

Dated the ——— day of ———.

Signed ———.
Chairman of the Road Committee of the ——— Province,
or Chairman, District Road Committee.

SCHEDULE B.

WARRANT OF COMMITMENT ON A SENTENCE UNDER SECTION 18 OF ORDINANCE No. 31 OF 1884.

To the Fiscal of the ——— Province.

WHEREAS on the ——— day of ——— 188 [*name of prisoner*] was convicted before me [*name, Chairman of the Road Committee of the ——— Province, or Chairman of the District Road Committee for the District of ———, as the case may be*] of the offence of [*mention concisely the offence*] under section —— of Ordinance No. —— of 1884, and was sentenced to one month's imprisonment with hard labour.

This is to authorize and require you to receive the said [*prisoner's name*] into your custody in prison at ———, together with this Warrant, and there to carry the aforesaid sentence into execution according to law.

Given under my hand this —— day of ——— 188 .

[*Signature and Official Designation.*]

Passed in Council the Tenth day of December, One thousand Eight hundred and Eighty-four.

R. H. SINCLAIR,
Acting Clerk to the Council.

Assented to by His Excellency the Governor the Seventeenth day of December, One thousand Eight hundred and Eighty-four.

JOHN F. DICKSON,
Acting Colonial Secretary.

Enclosure 3 in No. 4.

ORDINANCE enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 18.—1885.

An Ordinance to amend the Ordinance No. 31 of 1884.

ARTHUR GORDON.

Preamble.

WHEREAS section 57 of Ordinance No. 10 of 1861, intituled "An Ordinance to consolidate and amend "the Laws relating to Public Thoroughfares in this Colony" was repealed by section 34 of Ordinance No. 31 of 1884, and, in consequence of such repeal, no provision exists at present for the payment of subsistence money to persons performing labour other than the double labour prescribed under section 14 and the increased labour under section 15 of the last-mentioned Ordinance:

And whereas it is expedient that such provision shall be made: Be it enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:—

District Road Committee may provide subsistence money or food.

1. It shall be lawful for the District Road Committee, upon the application of any person who shall have failed to commute within the time mentioned in section 26 of Ordinance No. 31 of 1884, and who shall be engaged in performing labour pursuant to notice received by him under section 13 of the said Ordinance, or whenever such Committee, in their discretion, may consider it necessary to do so, to provide such person, for every day that he may labour, with either subsistence money equal to one-half of the ordinary rate of a coolie's wages as paid in the district in which such labour shall be performed, or with food, according as such Committee may deem best; and

any person who shall be so provided with subsistence money or food, shall be liable to the performance of 12 consecutive days' labour, exclusive of Sundays, in the same year, and shall be subject to the provisions of sections 12 and 15 of Ordinance No. 31 of 1884.

2. This Ordinance shall be read and construed as one with Ordinance No. 10 of 1861 and Ordinance No. 31 of 1884. To be read with Ordinance No. 10 of 1861 and No. 31 of 1884.

Passed in Council the Twenty-fifth day of November, One thousand eight hundred and eighty-five.

(Signed) R. W. Jevers,
Clerk to the Council.

Assented to by His Excellency the Governor, the ninth day of December, One thousand eight hundred and eighty-five.

(Signed) Cecil C. Smith,
Colonial Secretary.

Enclosure 4 in No. 4.

(Extract.)

Ordinance enacted by the Governor of Ceylon, with the advice and consent of the Legislative Council thereof.

No. 24 of 1889.

An Ordinance relating to Village Communities.

(*As amended by No.* 10 *of* 1891, *No.* 14 *of* 1893, *No.* 9 *of* 1894, *No.* 9 *of* 1896, *No.* 15 *of* 1896, *and No.* 10 *of* 1898.)

Whereas it is expedient to consolidate and amend the laws relating to village communities in this island: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:— Preamble.

I.—*Preliminary.*

1. This Ordinance may be cited for all purposes as "The Village Communities' Ordinance, 1889"; and it shall come into operation at such time as the Governor shall, by proclamation published in the *Government Gazette*, appoint.* Short title. Commencement.

* * * * *

III.—*Rules.*

6. It shall be lawful for the inhabitants of any subdivision so brought within the operation of this Ordinance to make, subject to the provisions hereinafter contained, such rules as they may deem expedient for any of the following purposes:— Inhabitants may make rules.

(1) For the construction, maintenance, regulation, and protection of village paths, bridges, edandas, ambalams or madams, spouts, wells, watering and bathing-places, fords and ferries, markets, places for the slaughter of cattle, sheep, or swine, grounds for the burial or burning of the dead, and for the conservancy of springs and watercourses.

(2) For constructing and repairing schoolrooms for the education of boys and girls, and for securing their attendance at school.

* * * * *

(13) For the construction, repair, and protection of village tribunal court-houses.

* * * * *

(17) For the repair, protection, and maintenance of village canals.

(17*a*) *For imposing and enforcing an annual tax payable in labour in respect of all or any of the purposes mentioned in subsections* (1), (2), (13), (16), *and* (17), *upon the inhabitants of the subdivision, provided that no inhabitant shall be liable to perform more than ten days' labour in any one year.* [§ 1, 9 *of 1894.*]

(17*b*) *For determining the number of days' labour to be imposed in respect of any one or more of such purposes.*

(17*c*) *For calling out and compelling the performance of such labour.*

* * * * *

V.—*Village Tribunals.*

26. The Governor may, at his discretion, acting with the advice of the executive council, establish village tribunals in any chief headman's division or part thereof brought under the operation of this Ordinance, and may appoint from time to time a president for such tribunals, and allow, with the like advice, reasonable remuneration to be paid to him out of the general revenue, and any person so appointed at pleasure remove and substitute another in his stead. Every such president shall, before he shall begin to execute the duties of his office, take and subscribe the oath of allegiance and judicial oath, in form set forth in the Ordinance No. 7 of Establishment of village tribunals and appointment of presidents at the discretion of the Governor. Oath.

* Proclaimed the 30th day of August 1890.

Power of president.

1869 or any other Ordinance to be hereafter for that purpose enacted. Such president shall have power and jurisdiction, assisted by councillors as hereinafter provided, to try cases hereinafter specified. The number of councillors to be associated with the president in the trial of cases shall be three. No person shall be qualified to be associated with the president as such councillor who shall not possess the qualifications prescribed for committeemen by section 17.

* * * * *

Village tribunals to exercise jurisdiction in certain matters civil and criminal.

28. The president, assisted by councillors, as hereinbefore prescribed, shall sit in open court at such times and places within each subdivision as the Government agent shall from time to time prescribe, to try breaches of any rules made by the inhabitants of the subdivision under the authority of section 6 (if the inhabitants shall have availed themselves of this privilege) . . . .

* * * * *

Punishments which may be awarded by such tribunals.

Imprisonment may be carried out in the common prisons.

31. The village tribunal shall have power to punish by fine not exceeding 20 rupees any person convicted before it of any crime or offence, or of the breach of any rule, and in case of a continued breach of any rule such tribunal shall impose a further fine not exceeding 5 rupees for each day such breach is continued after notice to the offender. The village tribunal shall also have power to sentence the offender in default of payment of any fine imposed under this Ordinance to simple or rigorous imprisonment for any period not exceeding 14 days.

* * * * *

No. 5.

LEEWARD ISLANDS.

The GOVERNOR to the SECRETARY OF STATE.

(Received June 20, 1907.)

Government House, Antigua,
May 30, 1907.

My Lord,

I have the honour to acknowledge the receipt of your Lordship's Circular despatch of the 18th April last, and to report that Compulsory Native Labour is not employed in the Leeward Islands Colony within the terms indicated in the Address for a return to the House of Commons of such labour of the 27th March last.

2. I desire, however, to invite attention to section 13 of Montserrat Ordinance, No. 2, of 1890, to section 5 of Virgin Islands Ordinance, No. 5, of 1892, and to section 15 of Dominica Act, No. 18, of 1888, all of which contain provisions requiring persons to labour on the roads for a given number of days or to pay an annual contribution in lieu of such labour.

I have, &c.
BICKHAM SWEET-ESCOTT,
Governor.

Annexure 1 to No. 5.

(Extract.)

(L.S.) I assent,
W. F. Haynes Smith.

MONTSERRAT.

No. 2 of 1890.

An Ordinance to provide for the Repair and Preservation of the Public Roads of this Island.

Be it ordained by the Governor and Legislative Council of Montserrat as follows:—

* * * * *

IV.—*Statute Labour.*

Who are liable to serve.

13. Every male person between the ages of 16 and 60 years being an inhabitant of this island or having been resident therein for three months shall work on the public roads within the district in which he resides for such period as is hereinafter prescribed; provided that any such person shall be exempted from working on such roads on payment into the Treasury of the sum hereinafter prescribed.

Classification

14. For the purposes of this Ordinance, the male inhabitants of this island between the ages aforesaid shall be classified as follows :—

The members of the Executive and Legislative Councils, ministers of religion, practitioners in the professions of law, medicine, and surgery, justices of the peace, proprietors, lessees, and managers of estates, merchants, storekeepers, shipowners, and persons employed in the public service of the Colony or Presidency and receiving salaries of 50*l.* a year or more, shall constitute the first class, and every such person shall work on the public roads for ten working days in each year.

Tradesmen, clerks, shopkeepers, schoolmasters, overseers, and rangers of estates, policemen, owners of boats used for droghing and trading purposes, not being comprised in any case in the first class, shall constitute the second class ; and every such person shall work on the public roads for seven working days in each year.

Domestic servants, labourers of every description, persons having no occupation or employment in any business or calling, and all other persons not included in the first or second class, shall constitute the third class ; and every such person shall work on the public roads for five working days in each year.

Money payment in lieu of labour.

15. Persons liable to work on the public roads may, instead of performing such work, pay into the Treasury the following sums, that is to say—

Any person comprised in the first class, ten shillings in each year.
Any person comprised in the second class, five shillings in each year.
Any person comprised in the third class, three shillings in each year.

Such payment may be made at any time before the first of the days on which such person is required to work.

The Government officer who receives any such sum shall give a receipt to the person paying the same and shall notify such payment to the surveyor.

Registration of persons liable.

16. Every person who is liable at the commencement of this Ordinance to work on the public roads shall within three months thereafter, and every person who subsequently becomes so liable shall, within three months after he becomes liable, register his name, age, and place of residence with the surveyor of the district in which he resides, and any such person who fails so to do shall be liable to a penalty not exceeding five shillings.

The surveyor, if he thinks fit, may himself register the name of any person so liable.

Any person registered under this section who removes from one district to another shall register his name, age, and place of residence with the surveyor of the district to which he removes and until he does so shall be liable to work in the district in which he was registered.

Surveyor to keep register.

17. The surveyor of each district shall keep in the prescribed form a register of persons in his district liable to work on the public roads.

Notice to persons liable to work.

18. The surveyor shall from time to time as occasion requires give to every person liable to work on the public roads at least seven days' notice of the days upon which and the place or places at which he is required to work. Such notice shall be in the prescribed form and shall either be delivered to such person or be left at his usual place of abode by a constable or other person appointed by the surveyor.

Attendance to work and penalty for neglect.

19. Every person liable to work on the public roads who has been served with the notice prescribed by section 18 of this Ordinance, and who has not paid into the Treasury the sum prescribed by section 15 of this Ordinance, shall attend on the days and at the place or places specified in the notice and shall have or bring with him a hoe, a bill or cutlass, and a basket, and shall diligently and faithfully execute the work and labour to which he is appointed by the surveyor for eight hours, from seven in the morning to four in the afternoon, on each and every day on which he is liable to work.

Every such person who neglects or refuses so to attend shall be liable to a penalty of two shillings for every day when he so refuses or neglects to attend ; and if any person who so attends refuses or neglects to perform the work allotted to him or performs the same in a careless or inefficient manner, the surveyor or the superintendent employed by the surveyor shall immediately discharge such person who shall be liable to a penalty of two shillings for the day on which he is so discharged ; and such person shall not be allowed to return to work, but shall be liable to a further penalty of two shillings for each of the remaining days on which he had been summoned to work.

Work on roads to take priority of other engagements.

20. No contract or engagement of any kind except lawful summons to attend a court of justice or an inquest shall be sufficient ground for the neglect or refusal of any person to work on the public roads when duly summoned, but the surveyor, if he thinks fit, may excuse any person from working on any day or days on which he has been summoned to work.

Provision in case of illness, &c.

21. Any person who from illness or other lawful cause is unable to work on the public roads on any day or days prescribed in the notice served upon him, or who is excused by the surveyor from working on any such day or days, shall be liable to work on such subsequent day or days as the surveyor appoints by a notice to be served on such person in manner hereinbefore provided.

Persons working on roads not liable for neglect of other duty.

22. No person working on the public roads in pursuance of this Ordinance shall be liable to any punishment for any neglect of other duty while so occupied, and a certificate purporting to be signed by the surveyor shall be *primâ facie* evidence that such person has been so occupied on the day or days mentioned therein. It shall be the duty of the surveyor to give such certificate at the request of any such person.

* * * * *

Dated at Antigua, the twelfth day of May 1890, in the fifty-third year of Her Majesty's reign.

Duly published and proclaimed the 19th day of May 1890.

EDWARD BAYNES,
Commissioner.

Annexure 2 to No. 5.

(Extract.)

(L.S.) I assent,
FRED. EVANS.

VIRGIN ISLANDS.

Ordinance No. 5 of 1892.

An ORDINANCE to provide for the Maintenance of the Roads in this Presidency.

BE it ordained by the Governor and Legislative Council of the Virgin Islands as follows:—

* * * * *

Statute labour.

5. Every male person between the ages of 15 and 60 who shall have been resident in the Presidency for a period or periods amounting in all to three months or more in every year (except as herein-after provided)—

(i) shall either work on the highways for four days in each year;

(ii) or shall cause a substitute approved of by the road warden to work as aforesaid in his place (and such person or substitute shall procure and bring with him a hoe and a basket and a bill or cutlass);

(iii) or he shall, on or before the first day for which he is called upon to work as aforesaid, pay to the road warden of the district in which he is required to work the sum of four shillings in lieu of his labour.

Proviso.

Provided that where the road warden is satisfied that such person as aforesaid is unable for good and sufficient reasons to attend on the day named, he may exempt him from such payment and permit him to work or to send his substitute to work on some other day.

Exemption.

Provided also that all persons filling the office of road warden shall be exempted from the provisions of this section.

Road wardens.

6. The Governor may from time to time appoint a fit and proper person to be road warden in and for each district, and such road warden shall be a resident of the district for which he shall be so appointed, and shall hold office during pleasure.

Provided that it shall be lawful for the Commissioner when it appears to him to be necessary to appoint any person temporarily to be a road warden until the Governor's pleasure be known.

Duties of road warden.

7. Each road warden shall keep a book for the district, and shall therein enter the names of all the labourers employed on the highways therein, and the days on which they work, together with the names of all defaulters, and shall also enter therein an account of all monies received in commutation of statute labour, and of the expenditure of such monies, and such book shall at all times be open to the inspection of the Commissioner.

Notice to labourers.

8. The road warden of each district shall from time to time give or cause to be given to, or left at the usual place of abode of, every person liable to work on the highways within his district, four clear days' notice in writing of the day, hour, and place on and at which each person is required to work, and every person making default by not attending on any day at the time and place mentioned in the notice, or not providing a substitute approved as aforesaid, or not paying the sum of four shillings as aforesaid, shall for every day on which he makes default pay the sum of one shilling and sixpence, and all such sums shall be applied to the maintenance of the highways of the district in which he is required to work, and he shall further be liable on summary conviction to pay a fine not exceeding 2*l*.

Overlookers.

9. The road wardens shall make such arrangements as may seem to them expedient for the due supervision of the performance of the labour required to be done by this Ordinance, and it shall be lawful for them to appoint from time to time competent persons to act as overlookers in their districts who shall have authority to direct the work of the gangs placed under their charge.

Provided that in any district for which there shall be no road warden appointed it shall be lawful for the Commissioner to make from time to time such arrangements for the upkeep of the highways as may seem to him expedient.

Penalties for bad work.

10. Every person required to work on the highways under this Ordinance shall work diligently and faithfully for eight hours in each day, and if any person lawfully called on to work refuses to work as aforesaid, or works otherwise than according to orders, or works carelessly or inefficiently, or who fails to bring with him the tools and things prescribed by this Ordinance, it shall be lawful for the road warden or overlooker to discharge him, and he shall thereupon become liable to pay the same sums and fines which he would have been liable to pay if he had failed to attend when required on the day when he is discharged.

Power to excuse labourers in certain cases.

11. If any person liable to work under this Ordinance is unable to work by reason of any infirmity, and shall also be unable from being in indigent circumstances to provide a substitute, or to pay the required money in lieu thereof, it shall be lawful for the road warden of the district

in which he resides, with the approval of the Commissioner, to discharge him from all liability, and to make an order in writing discharging him as aforesaid, either absolutely, or for such period as to him shall seem just, and such person shall thereupon be discharged accordingly.

* * * * *

Dated at Antigua the eighth day of July 1892 in the fifty-sixth year of Her Majesty's reign.

Duly published and proclaimed at Road Town, Tortola, this 12th day of July 1892.

R. LOCKHART,
Acting Commissioner.

Annexure 3 to No. 5.

(Extract.)

DOMINICA.

No. 18 of 1888.

(L.S.) I assent,
W. F. HAYNES SMITH.

An Act to provide for the Construction and Maintenance of Public Roads.

BE it enacted by the Governor and Legislative Assembly of the Presidency of Dominica as follows :—

* * * * *

Contributions.

15. The labour and money necessary for the construction and maintenance of the public roads and bridges shall be contributed by the persons in Schedule II. of this Act specified to the amount and in the manner and in accordance with the provisions of the said schedule and the regulations made under this Act. — Contributions, labour, and money. Schedule II.

16. Every person shall give to a Government officer at the place and time and in the manner prescribed all information necessary to enable the said officer to ascertain whether such person is liable to contribute and the amount and nature of the contribution to which he is liable, and if any person shall make default in so doing or shall refuse or neglect to answer any question or give any such information as aforesaid to a Government officer he shall be liable to a penalty not exceeding 5*l*. — Persons to give information to Government officer. Penalty.

17. The contribution to be made by any person towards the construction and maintenance of the roads shall be assessed by a Government officer. — Assessment of contribution.

18. Where any person is liable to make a labour contribution such person shall not be called upon to work more than the prescribed distance from his place of abode unless the Governor shall otherwise direct. — Person contributing labour to work near home.

19. All labour contributions shall be made in the time or times, manner, and place, and under the conditions prescribed by regulations. Whoever fails to comply with any such regulation shall incur the same liabilities as he would incur if he had refused to make any contribution in addition to any penalty under the Act. — Labour contribution. Penalty.

20. In case any landslip, storm, or other catastrophe shall render any public road or bridge dangerous or impassable or shall reduce it to such a state that in the opinion of any Government officer or warden great inconvenience is caused to the public, all persons shall be liable to assist, when called upon by a Government officer or road warden, in repairing the injury done to such public road or bridge, and such liability shall be in addition to any liability or duty otherwise imposed by this Act. — Sudden damage. General liability.

21. Where any person is called upon to labour more than the prescribed distance from his place of residence the Governor may make such payments for or in respect of such labour as he may think fit to such persons as he may think fit. — Payment for working beyond prescribed distance from home.

22. All money contributions shall be paid to such Government officer at such times and in such manner as shall be prescribed by the regulations. — Money contribution.

23. Ministers of religion, nuns, Sisters of Charity, and police constables are exempted from the payment of any contribution under this Act. — Person exempted from contribution.

24. The Governor may exempt any person from the liability to make any contribution under this Act when it appears to the Governor that such person is unable to make such contribution. — Governor may exempt persons unable to contribute.

Recovery of Contributions.

25. If any Government officer certifies in writing to any district magistrate that any person has failed to make the contribution at which he is assessed under this Act, stating in such certificate the amount and nature of the said contribution, the district magistrate shall issue a summons calling upon such person to show cause why he has failed to make such contribution, and if such person fails to appear at the time mentioned in the said summons, or if such person appears but fails to prove that he is not liable to contribute the amount at which he is assessed — Proceedings against defaulters.

Penalty.

and that he has tendered the money or offered to perform the labour which he is really liable to perform or that he has paid his contribution, the district magistrate shall sentence him to pay the costs of the summons and to contribute any amount not exceeding double the amount he is liable to contribute, whether in money or labour, and in default thereof to be imprisoned for any term not exceeding three months.

Proviso—indigent and infirm defaulters.

Provided always that the magistrate may in any case dismiss any such summons if it shall appear to his satisfaction that the person in default is, from poverty, unable to make a money contribution and from infirmity unable to make a labour contribution.

* * * * *

SCHEDULE II.

Contribution to be made by the male inhabitants of the island, other than residents in Roseau, between the ages of 16 and 60 not exempted by law who do not possess land or houses requiring the payment of a larger money contribution :—

Any person whose income in the year preceding was over 300*l.* shall pay 2*l.*
Over 150*l.* and not more than 300*l.* shall pay 1*l.*
Over 100*l.* and not more than 150*l.* shall pay 15*s.*
Over 50*l.* and not more than 100*l.* shall pay 10*s.* or give 20 days' labour.
Over 25*l.* and not more than 50*l.* shall pay 7*s.* 6*d.* or give 15 days' labour.
Under 25*l.* shall pay 6*s.* or give 12 days' labour.

* * * * *

Dated at Antigua the 6th day of July 1888 in the 52nd year of Her Majesty's reign.

Duly published in the town of Roseau the 9th day of July 1888.

F. P. Latouche,
Provost Marshal.

No. 6.

GOLD COAST.

The GOVERNOR to the SECRETARY OF STATE.
(Received July 1, 1907.)

Government House, Accra,
June 6, 1907.

My Lord,

In compliance with the request contained in your Lordship's circular despatch of the 18th April last, I have the honour to furnish the following information on the subject of compulsory native labour :—

2. I doubt whether there is any such labour in this Colony, within the meaning of the Address enclosed in your Lordship's despatch, as the provisions of "The Roads Ordinance, 1894," merely regulate the maintenance of native roads, according to long-established native custom, and limit the number of days during which each local chief can call on his people to work on the road or roads passing through his division of a district.

3. In any case, however, there is no other form of compulsory native labour; and I append the following information, taken from the Ordinance in question, in reply to the inquiries contained under the various heads specified in the Address :—

(*a*) *Colony* :—

Gold Coast.

Work :—

Maintenance of native roads by tribal labour.

(*b*) *Employment* :—

Only within the division of the district in which they reside.

(*c*) *Numbers* :—

All able-bodied men under the chief's jurisdiction for a period not exceeding six days in each quarter.

(*d*) *Dwelling-places :—*

Natives live where and how they please, without any restriction on their liberty.

(*e*) *Punishment :—*

Refusal to comply with the lawful orders of his chief renders a native liable (under section 5 of the Ordinance), on conviction before a District Commissioner, to a fine not exceeding 1*l*., or, in default, imprisonment not exceeding one month.

(*f*) *Legal Enactment :—*

"The Roads Ordinance, 1894," passed on the 20th October 1894.

It is also provided by section 6 of this Ordinance that the District Commissioner shall, on being satisfied that the native road in question is being properly maintained, make quarterly payments to the chief concerned, at the rate of 10*s*. for each mile of road, or, in any case of special difficulty, at such higher rate as may be authorised by the Governor.

3. There is no legally-recognised system of compulsory native labour in either Ashanti or the Northern Territories ; but, in practice and in accordance with native custom, the chiefs living in those dependencies exercise very extensive powers over their people, and it will probably be advisable to regulate and restrict those powers, as has been done in the Colony, by means of legislative enactments similar to the Native Jurisdiction Ordinance (No. 5 of 1883) and the Roads Ordinance (No. 13 of 1894).

I have, &c.
JOHN RODGER,
Governor.

No. 7.

UGANDA.

The ACTING COMMISSIONER to the SECRETARY OF STATE.
(Received July 19, 1907.)

Government House, Uganda,
My Lord, June 22, 1907.

In reply to your Lordship's circular, dated 18th April last, with regard to compulsory labour, I have the honour to report that the only labour which could in any way be regarded as compulsory is that employed by the native chiefs, in the terms of the Uganda Agreement, 1900, for the maintenance in good repair of main public roads. As roads become main arteries of trade, and are required for vehicular traffic, their construction is placed with the Public Works Department.

2. In the other parts of the Protectorate the chiefs, although no agreement may be in force, have followed the Uganda practice.

3. All natives are liable to be called on by their chiefs for such service during one month in each year, if necessary.

4. They are employed in their own districts, and either live at their own homes or with their friends, or build themselves grass-huts close to their work. No restrictions are placed upon their individual liberty at times other than that when they are engaged on their ordinary daily work.

5. Should any such labourer desert, he is brought back by his local chief, and a small fine imposed by the chief of his country.

6. The system was in force prior to our occupation of the country, and is legalised in Uganda by clause 14 of the Uganda Agreement, 1900.

I have, &c.
GEORGE WILSON,
Acting Commissioner.

No. 8.

NORTHERN NIGERIA.

The HIGH COMMISSIONER to the SECRETARY OF STATE.
(Received August 3, 1907.)

Government House, Zungeru,
Northern Nigeria,
July 2, 1907.

My Lord,

With reference to your Lordship's circular despatch of 18th April 1907, I have the honour to reply *seriatim* to the question in the enclosure thereto as follows :—

(*a*) Compulsory Labour is employed solely on road-making in accordance with the Roads Proclamation. All Natives are liable to be called upon—the innumerable pagan tribes, the Mohammadans, Fulanis, Hausas, and Nupes—whenever any new road is constructed, clearing the existing tracks and, in some cases, trenching. 10*s.* is to be paid to the headman for each mile; or if there are special difficulties a further sum according to the labour entailed. Such road-making is entirely for the benefit of the inhabitants themselves.

(*b*) The labour is obtained from the headman through whose districts or villages the road runs, and is invariably supplied from village to village, and only used on the sections of the road near that village which supplies the labour.

(*c*) No returns are available of the numbers of the natives that have been engaged, but the amount spent since the enactment of the proclamation is only very small.

(*d*) The natives continue to live in their own houses, and there are no restrictions whatsoever put upon their liberty. The headman is only entitled to call for labour from each man up to a maximum period of six days in each quarter, and they as a rule, in accordance with native custom, only work for a few hours in the morning.

(*e*) The law provides that any chief or headman who fails to comply with the instructions of the High Commissioner to construct or repair a road under the proclamation renders himself liable to a fine not exceeding 50*l.*, and that any person refusing to work when called upon to do so by his chief or the headman of his district may be punished according to native law, or, if summarily convicted by the Resident, may be fined a sum not exceeding 1*l.*, or in default be imprisoned for a term not exceeding one month. I wish to add however, that no convictions have been made under this proclamation.

(*f*) This system was introduced by the "Roads Proclamation, 1903," in which is incorporated Proclamation No. 12 of 1904. The date of the proclamation is September 7th, 1903, and it has received the Royal Assent.

I have, &c.
E. P. C. GIROUARD,
High Commissioner.

No. 9.

FIJI.

The GOVERNOR to the SECRETARY OF STATE.
(Received August 15, 1907.)

Government House, Suva, Fiji.
June 27, 1907.

My Lord,

I have the honour to acknowledge the receipt of your Lordship's circular despatch of 18th April, in which I am requested to furnish certain information desired for a return to the House of Commons on the subject of the employment of Compulsory Native Labour.

2. The terms of the Address do not indicate whether the words "Native Labour" are intended to include imported labour, but I gather from clause (6) of the return that they are not so used. If, however, I am mistaken in this view, I would invite reference to my despatch of 4th June 1906,* the enclosures to which deal fully with the subject of imported labourers and the conditions under which they serve in Fiji.

3. Nor am I altogether clear as to the sense in which the word "compulsory" is used. In Fiji, so far as the aboriginal natives are concerned, the communal system which has existed from time immemorial is still in vogue; and, if the labour performed by the individual native in connection with communal duties may be regarded as "compulsory" labour, then as regards clause (c) of the return, the whole native population of Fiji must be the answer; and the replies furnished in the enclosed copy of a minute by the Honourable the Native Commissioner contain the information desired.

4. There is one point not touched upon in the minute above referred to, viz., the native taxes in kind. The system of native taxation is so fully comprehended by the Colonial Office that it seems almost unnecessary for me to explain here what is meant. It may be convenient, however, to mention that in those districts in which it is more convenient to the natives to pay their taxes in kind, village or district plantations exist upon which it is compulsory for each native concerned to perform his share of the labour required in the production of the tax, and that any neglect to do so is punishable under the Native Regulations. During the past few years however, every encouragement has been given to enable the natives to pay taxes in coin; and these plantations are gradually but fairly rapidly disappearing.

5. I should perhaps also mention that legislation is now being considered by which the obligation of the communities to make and keep in repair roads in the respective native districts will be transferred to local Road Boards; and add with reference to clause (*e*) in the Native Commissioner's minute, that Ordinance 5 of 1889 has been so far relaxed that a native in *bonâ fide* employment is now considered exempt from its provisions so far as it relates to absence from his district without leave.

6. I need only assure your Lordship in conclusion that so far as compulsory labour in the ordinary usage of the term is concerned, it does not really apply in this Colony, and that the communal system is being relaxed as rapidly as it can safely be in the direction of allowing full liberty of action to the individual.

I have, &c.
EVERARD IM THURN.

Enclosure in No. 9.

I would suggest a reply somewhat on the following lines to the circular as far as regards the Fijians:—

(*a*) There is no compulsory native labour in the ordinary acceptance of the term. Under the communal system which exists every able-bodied native has, however, to take his share in certain work for the community. This work mainly consists of housebuilding, and of improving and keeping in repair the by-roads (the main roads are maintained by the Government, and if the natives work on them it is as ordinary labourers, and they are paid). Planting-lands are private property, but the natives in every province have to plant provision gardens for the higher native officials, and, in some districts, for the provincial hospital. This is practically equivalent to a local rate, and for hospitals is, when natives so desire, commuted for a small *per capita* money payment towards the upkeep of the hospital.

(*b*) No.

* No. 35 in [H.C. 357].

(*c*) The system of communal work above-mentioned is in force throughout the Colony, and applies to all Fijians.

(*d*) Natives while employed upon such work live in their villages. The work is naturally of an intermittent character, and is in Fiji regulated by a programme of work prepared annually in native councils held in each province, and approved by the Governor. A specimen of such a programme is attached. As a general rule, during the last three months in every year the individual native is left free by the programme to work as he pleases.

(*e*) Absence from his village for a longer period than 60 days without permission from the Buli (chief) of his district at present renders the Fijian liable, under an Ordinance of the Colony (V. of 1889), to the punishment of a fine not exceeding 5*l*., or to imprisonment not exceeding six months. Refusal to take part in the communal work when called upon to do so at present constitutes an offence under the Native Regulations (submitted to the Legislative Council, and approved by the Governor, under Ordinance No. IX. of 1876), dealing with disobedience, viz., No. III. of 1877 and No. III. of 1887.

(*f*) The system has been carried on since the cession of the islands to Great Britain in 1874. It is merely a continuance and modification of the system formerly in vogue, and is in accordance with native customs and tradition.

Rewa Council, 1906.

That the following programme of work for 1906 be approved :—

Housebuilding :—
March, April, and May, and at such other times as may be sanctioned by the Governor on request of District Council. Not less than one house to be built in each town in the housebuilding months.

Planting fruit-bearing trees :—
First Tuesday in January, and not less than 10 per man.

Vakamisinari. (Missionary meeting) :—
At a time to be decided upon by the people and missionary.

Road-weeding :—
First day in each month.

Taxes :—
To be paid in on the 28th February.

Buli's Lala :—
Each district to make a garden for its Buli in the planting months.

Roko Tui Dreketi's Lala :—
According to custom. Not to be too large.

Turaga ni Koros Lala :—
The townspeople to work on one day per month in planting for their turaga ni koros.

Gardens for provincial officers : —
Dreketi to make a garden for the native stipendiary magistrate at Rewa.
Burebasaga to make one for the provincial scribe.
Sawau to make one for the native medical practitioner Beqa.

Work at provincial hospital :—
Rewa to weed in January, February, March, April.
Noco to weed in May, June, and July.
Dreketi to weed in August, September, October.
Burebasaga to weed in November.
Toga to weed in December.
The weeding to be done on the first day of the second week in each month.

No. 10.

BRITISH HONDURAS.

The GOVERNOR to the SECRETARY OF STATE.
(Received August 17, 1907.)

Government House, Belize,
July 31, 1907.

My Lord,

I have the honour to acknowledge the receipt of your Lordship's circular despatch of the 13th April last with regard to compulsory native labour.

2. Compulsory labour, called here *faena*, is only exacted in the Cayo District, and I enclose copy of a report on the subject from the District Commissioner. The labour given is only an equivalent to the money payment which should otherwise be made for the privilege of occupying and cultivating Government lands. The obligation to work may be commuted for a money payment, but this is not the custom in the Cayo.

3. In other reserves (Stann Creek and Toledo districts) a rent of $6 per annum is reserved, of which $4 may be commuted for labour. It is, however, the invariable custom to pay the money.

4. There is much to be said in favour of the policy of these reserves as providing a supply of casual labourers who otherwise would not have settled in the Colony; but the value given in services or in money is very small. No one but these Indians and Caribs can rent lands on such easy terms.

I have, &c.
E. J. E. SWAYNE,
Governor.

Enclosure in No. 10.

(Extract.)

Report on Compulsory Work in the Cayo District.

Faena—in the form of compulsory road work—in this district is imposed upon the tenants of villages situate within the reservation (Indian), which reservation is adjoining our frontier with Guatemala, known as the Western Frontier. These villages are four in number, and named :—

1. San Antonio.
2. Succotz.
3. Benque Viejo.
4. Arenal.

The inhabitants are mostly Indian or of Indian origin, Benque Viejo giving the other nationalities, most Guatemaltecos and a few Mexicans.

In 1890 rules were formed regulating the conditions under which such reserves could be occupied and used. Under these rules the people of the villages mentioned above occupy lots and live within the reservation.

Under subsection (c), section 6, of above-mentioned rules "the District "Commissioner shall direct the performance of such Government work as "he thinks desirable, not exceeding 12 days in each year." In my district the full 12 days have been imposed upon such tenants who, after they have given the one day's work a month, are at liberty to go where they please, and to do any other work they feel inclined. There is no restriction upon

their liberty; indeed, beyond this labour, they seem to have everything else for nothing. They are permitted to make their *milpas*, or cornfields, and cultivate the land just as it suits them and, in their own primitive way, to cut the timber and leaves for their houses within the reservation.

They subscribe in no way to the revenue of the Colony, save a nominal ground rent for occupied lots. In the case of Benque Viejo 25 cents per lot per year, Arenal 75 cents per lot per year, and the other two villages do not pay a cent.

I would estimate the area within which such work is performed to be not more than a radius of 8 miles from any of these places.

The nature of the labour given is cleaning and clearing main roads of bush and fallen trees. No skilled labour.

I know of no penalty for the non-performance of such labour beyond the fact that it is a condition of occupancy of the land within the reservation.

The people have always been given the following options as regards this labour, viz.:—

(i) Personally doing the work required of them;

(ii) Sending a substitute;

(iii) Paying (instead of labouring) the local rate of daily wage for every day's *faena* undone.

In many cases the entire 12 days are so paid for by those able to do so. There is no compulsion to personally perform such labour.

The rules were passed by the Governor in Council, as before stated, on the 24th March 1890, and made under and by virtue of section 15 of chapter 103 of the Consolidated Laws.

* * * * *

ROBERT H. FRANKLIN,
District Commissioner,
El Cayo.

11th June 1907.

No. 11.

NATAL.

The ACTING GOVERNOR to the SECRETARY OF STATE.
(Received August 24, 1907.)

Government House,
Pietermaritzburg, Natal.
August 2, 1907.

MY LORD,

IN compliance with the request contained in your circular despatch of the 18th April last, I have the honour to transmit to Your Lordship copy of a memorandum prepared by the Native Affairs Department, giving the desired information with regard to native labour in this Colony.

I have, &c.
W. H. BEAUMONT,
Administrator.

Enclosure in No. 11.

MEMORANDUM.

Replies to Address accompanying Secretary of State's Despatch dated April 18, 1907.

(*a*) In the Natal province and the Northern Districts annexed to Natal under Act 1 of 1903, natives are subject to the code of native law enacted by Law 19, 1891, and in respect of service for the Government of the Colony to the following provisions :—

Section 35 :—The Supreme Chief has absolute power to call upon chiefs, district headmen, and all other natives to supply armed men or levies for the defence of the Colony, and for the suppression of disorder and rebellion within its borders, and may call upon such chiefs, district headmen, and all other natives to personally render such military and other service.

Section 36 :—The Supreme Chief has power to call upon all natives to supply labour for public works or for the general needs of the Colony. This call or command may be transmitted by any person authorised so to do, and each Native so called upon is bound to obey such call, and render such service in person, unless lawfully released from such duty.

Disregard, defiance, and disobedience of calls upon chiefs and natives are offences under section 262 of the Code :

> " 262. Any disregard or defiance of the orders and authority of the Supreme Chief shall be deemed to be an offence " ;

and section 15, Act 40, 1896 :

> " 15. Disobedience or disregard by any native of any duty, obligation, direction, or prohibition imposed on him by Law 19, 1891, or any of the sections of the schedules thereto, shall be deemed to be an offence."

The code of native law has not been extended to the province of Zululand up to the present, but section 7, Law 44, 1887, is in force, and the call upon natives is made under the authority of the following portion thereof :

> " The Governor shall exercise and enjoy over all the chiefs and natives in the Colony all the power and authority which, according to the laws, customs, and usages of natives, are held and enjoyed by any supreme or paramount native chief."

When natives called upon for service are handed over to Government departments, they come under the provisions of subsection "*b*," section 2, Act 40, 1894, viz., " Natives employed from time to time for hire on any " description of work by or on behalf of the Government of Natal," and as servants they come under the provisions generally of that Act in their relations to the departments of Government under which they are employed.

The principle upon which the system has been established is, that the supreme chief has the right, according to custom of native nations, to call upon the native population for their services when he has occasion for it, and that they are bound to obey the call and give that service. That right is now exercised by the Governor of this Colony as Supreme Chief. It is exercised only in reference to Natives living on location lands in Natal proper, who do not pay any rent for the occupancy of these lands ; in the Northern Districts on Crown lands ; and in the province of Zululand on all lands other than private lands.

In addition to natives employed upon road work, natives are also called out for service on telegraph construction, as postal runners, guards in connection with stock diseases, and also as guards for game reserves. Chiefs and headmen have also been called upon to supply armed men for the suppression of disorder and rebellion.

The natives are those of Zululand, Natal, and the Northern Districts.

(*b*) The employment of natives called out in the province of Zululand is restricted to that province, and similarly those called out in the Natal province and in the Northern Districts are restricted to those two districts respectively.

(*c*) The proportion of natives liable to be called out in Natal proper is restricted to one man for every eleven huts per annum residing on lands vested in the Natal Native Trust where no rent is paid. This represents 5,099 out a population of 232,043, but only about 4,400 are actually requisitioned for.

As regards the Northern Districts, natives are liable to be called out from Crown lands in the proportion of one man for every four huts *per annum*. This represents 155 out of a population of 2,049, although not more than from 20 to 30 are required annually.

In the Zululand province the proportion is restricted to one man for every eleven huts *per annum*, residing on all lands other than private lands. This represents 5,520 out of a population of 200,682, but only 1,300 approximately are called out.

The term of service for each man employed on road and other work is limited to six months.

(*d*) Up to the present, natives have been housed in tents, but recently steps have been taken to improve matters in this respect by supplying collapsible wooden huts covered with ruberoid. No fences or enclosed areas are adopted. The native labour gangs are treated in every respect on the lines of ordinary unskilled labourers, and there is no restriction placed upon individual liberty.

The natives employed upon road works in Natal proper and in the province of Zululand receive pay at the rate of 20*s*. per month with meal rations. Those employed in the Northern Districts receive 30*s*. per month with rations. Postal runners are paid at the rate of 35*s*. per month inclusive; game reserve guards 30*s*. for unmounted men and 45*s*. for mounted men, with one overcoat each; quarantine guards for stock diseases 30*s*. with rations; and natives engaged on telegraphic construction 40*s*. per month with rations. The last-named are only called out on rare occasions, such as when the telegraphic communications are thrown out of order by extraordinary climatic conditions.

As regards medical attendance on sick natives, district surgeons are specially charged with attendance on road-party natives on receipt of instructions from the magistrate of the division. No payment is made by the natives for such attendance.

(*e*) For misdemeanour the natives are tried by the district magistrate, under the Master and Servants Act of the Colony (No. 40, 1894),* a copy of which is put up herewith. It may be added that in this respect but little trouble is experienced.

Note.—It may be stated that natives are not called upon to render service to private individuals, but only for service to the Government.

* Not reprinted.

No. 12.

CYPRUS.

The HIGH COMMISSIONER to the SECRETARY OF STATE.

(Received October 21, 1907.)

(Extract.)

Government House, Nicosia,
October 9, 1907.

My Lord,

With reference to Your Lordship's circular despatch of the 18th of April last enclosing the terms of an Address for a return to the House of Commons with regard to Compulsory Native Labour, I have the honour to report (*a*) that the only form of labour which is compulsorily exacted from the people of Cyprus is that employed under the provisions of the Village Roads Law, 1900. Under that law the statutory authority in each village is empowered to require every able-bodied inhabitant to give his labour from time to time for a total period not to exceed six days in the year on works of public utility to the village.

2. (*b*) The labourers are not required to work at a greater distance than four English miles from their village; (*c*) every male inhabitant of a village between the ages of 18 and 60, not being physically or mentally disabled, and not being a minister of religion, a schoolmaster, or a public functionary, is liable to be called upon to give his labour; (*d*) the ordinary conditions of the life of the people are not interfered with nor is any restraint put upon their liberty; (*e*) there is no punishment for desertion or misconduct; but any man failing to comply with the requisition for his labour is liable to pay into his village fund the sum of one shilling, or, in certain circumstances, eightpence. (*f*) The law containing the above provisions came into force on the 28th July 1900.

* * * * *

I have, &c.
C. A. KING-HARMAN.

COMPULSORY NATIVE LABOUR (COLONIES).

RETURN showing (a) the names of the various Colonies or British Possessions in which Compulsory Native Labour is employed, and upon what work, distinguishing the class of Native, namely, nationality or tribe; (b) whether the Natives so employed are liable to be employed outside the districts in which they usually reside; (c) the number of such Natives respectively; (d) the conditions under which Natives so employed are housed or live, whether in fenced or enclosed areas or otherwise, also stating whether any restrictions are placed upon their individual liberty at times other than when they are engaged on their ordinary daily labour; (e) what, if any, regulations exist and are in practice for the punishment of such Natives respectively for desertion or misconduct, stating the nature of the offence and punishment, and if such regulations and practice have had the sanction of the Government or governing authority of the Colony or Possessions; (f) at what date and under what legal enactment, if any, the system was introduced.

(*Mr. Molteno.*)

Ordered, by The House of Commons, *to be Printed.*
31 *January* 1908.

[*Price 3d.*]

PAPERS

RELATING TO THE

MACHINERY AND COST OF ELECTIONS IN CERTAIN BRITISH COLONIES.

Presented to both Houses of Parliament by Command of His Majesty.
March, 1908.

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COLONIAL OFFICE NOTE.—Only those parts of the enclosures to the above despatches which appear to be relevant have been printed.

PAPERS

RELATING TO THE

MACHINERY AND COST OF ELECTIONS IN CERTAIN BRITISH COLONIES.

No. 1.

THE SECRETARY OF STATE to THE GOVERNORS OF CERTAIN COLONIES.*

SIR, Downing Street, March 31, 1906.

I HAVE the honour to transmit, for the consideration of your Ministers, a copy of a question asked recently in the House of Commons on the subject of the machinery and cost of elections in foreign countries and in the Colonies, together with the answer given, and to request you to invite your Ministers to furnish you with a report giving the desired particulars with regard to the . . . under your Government.

I have, &c.,
ELGIN.

Enclosure in No. 1.

QUESTION.

Mr. CHANNING: To ask the First Lord of the Treasury whether His Majesty's Government will obtain and issue as Command Papers, with the least possible delay, reports from His Majesty's representatives at the several European Courts as to the machinery and cost of contested elections to legislative assemblies at the present time in the several countries, and as to the proportion of the expenditure borne out of local or Imperial funds at the present time, similar to reports on these subjects obtained in 1881 [Cd. 2987], 1882 [Cd. 3159], and 1893-4 [Cd. 6953], and reports from the several Colonial Governments in the British Empire, giving the most recent facts as to the machinery and cost of elections, and how these costs are borne.

(Monday, March 12.)

ANSWER.

Sir HENRY CAMPBELL-BANNERMAN: I quite appreciate the importance of obtaining the information which my honourable friend desires, and I have ascertained that the Secretary of State for Foreign Affairs is willing to issue an instruction to His Majesty's diplomatic representatives calling for reports upon the subject, and also that the Secretary of State for the Colonies will ask the Governors to supply

* Sent to the Governors of Colonies possessing Responsible Government, including the Australian States.

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him with the particulars required. When these returns are obtained, we shall have an accurate basis for estimating the relative cost of Parliamentary elections in this and other countries, together with a complete statement as to how these expenses are borne.

(March 14, 1906.)

No. 2.

CANADA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received August 7, 1906.)

MY LORD, Government House, Ottawa, July 24, 1906.

IN reply to your Lordship's despatch of the 31st March last, asking for information relative to the machinery and cost of elections in Canada, I have the honour to enclose copy of a letter from the Department of the Secretary of State supplying the desired information.

I have, &c.,
C. FITZPATRICK,
Deputy of the Governor-General.

Enclosure in No. 2.

DEPARTMENTAL SECRETARY OF STATE to GOVERNOR-GENERAL'S SECRETARY.

SIR, Ottawa, July 24, 1906.

ADVERTING to Lord Elgin's despatch, dated the 31st March last, with its enclosures, on the subject of the machinery and cost of elections in foreign countries and in His Majesty's oversea dominions, I have now the honour to send to your address this day, under separate cover, copies of the Elections Acts in force in Canada and in the several provinces of the Dominion, with the exception of the two new provinces of Alberta and Saskatchewan in which, at present, elections are conducted under the Territorial Elections Ordinance of the former North-West Territories out of which these provinces have been formed. (Two copies of the Ordinance in question are enclosed with the Statutes.)

I enclose also letters explanatory in the premises from their Honours the Lieutenant-Governors of Ontario, Nova Scotia, and Saskatchewan, respectively; from the Honourable the Provincial Secretary of British Columbia; from the Deputy Attorney-General of Alberta (covering a memorandum); from the Deputy Provincial Secretaries of Manitoba and of New Brunswick—the latter also covering a memorandum; and from the Assistant Provincial Secretary of Prince Edward Island.

I have to request that His Excellency the Governor-General may be humbly moved to forward all the matter above indicated to the Right Honourable the Secretary of State for the Colonies, for the information of His Majesty's Government.

I have, &c.,
F. COLSON,
Acting Under-Secretary of State.

DOMINION ELECTIONS ACT.

63-64 VICTORIA.

CHAPTER 12.

AN ACT to consolidate and amend the law relating to the Election of Members of the House of Commons.

[*Assented to 18th July*, 1900.]

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

SHORT TITLE.

1. This Act may be cited as "The Dominion Elections Act," 1900. Short title.

APPLICATION.

2. The following provisions of this Act shall apply to elections in the North-West Territories, so far as the same are applicable and are not inconsistent with the provisions of "The North-West Territories Representation Act," as amended, that is to say: "Sections 4 to 7, both inclusive; section 9; section 41, paragraphs (*c*), (*d*), (*e*) and (*h*), and subsection 2; sections 43 to 59, both inclusive; sections 62 to 64, both inclusive; sections 69 to 150, both inclusive, and sections 152 to 154, both inclusive; together with the forms mentioned in the said sections and parts of sections; but otherwise, except as provided by "The North-West Territories Representation Act," or any amendment thereto, this Act shall not apply to the North-West Territories. Application to N.-W. T. R.S.C. c. 7.

INTERPRETATION.

3. In this Act, unless the context otherwise requires,— Interpretation.

(*a.*) The expression "election" or "Dominion election" means an election of a member to serve in the House of Commons, and the expression "provincial election" means an election of a member to serve in the legislative assembly or house of assembly or general assembly of a province and in the Province of Prince Edward Island means an election of an assemblyman; "Election." "Dominion election." "Provincial election."

(*b.*) The expression "electoral district" means any place or territorial area in Canada entitled to return a member to serve in the House of Commons; "Electoral district."

(*c.*) The expression "elector" or "voter" means any person entitled to vote at an election under the provisions of this Act, or of the Franchise Act, 1898, or any amendment thereto; "Elector," "voter."

(*d.*) The expression "voters' list," or "list of voters" includes any official list of persons entitled to vote at an election; "List of voters."

(*e.*) The expression "polling division" includes any polling subdivision, polling district or subdistrict or other territorial area for which there is a separate voters' list, or in which a poll may be held; "Polling division."

(*f.*) The expression "candidate at an election" or "candidate" means any person elected to serve in the House of Commons at such election, and any person who is nominated as a candidate at such election, or is declared by himself or by others to be a candidate, on or after the day of the issue of the writ for such election, or after the dissolution of parliament or the occurrence of the vacancy in consequence of which such writ has been issued: provided that where a person has been nominated as a candidate or declared to be a candidate by others without his consent, nothing in this Act shall be construed to impose any liability upon him unless he has afterwards given his assent to such nomination or declaration or has been elected; "Candidate."

(*g.*) The expression "election petition" means a petition presented in pursuance of "The Dominion Controverted Elections Act," being chapter 9 of the Revised Statutes; "Election petition."

(*h.*) The expression "judge" includes Chief Justice, and when used with reference to the province of Ontario, also includes the Chancellor; "Judge."

(*i.*) The expression "personal expenses," as used in this Act with respect to the expenditure of any candidate in relation to the election at which he is a candidate, includes the reasonable travelling expenses of such candidate, and the reasonable expenses of his living at hotels, or elsewhere, for the purpose of and in relation to such election; "Personal expenses."

(*j.*) The expression "form" means a form in Schedule One to this Act. "Form."

QUALIFICATION OF MEMBERS.

4. Except as hereinafter provided, any British subject may be a candidate for a seat in the House of Commons. Qualification of candidates.

(2) No qualification in real estate shall be required of any candidate.

5. The following persons shall not be eligible as candidates:— Disqualifications.

(*a.*) Every person disqualified for corrupt practices or other offences by sections 126, 128 or 129 of this Act; On account of corrupt practices.

(*b.*) Every person disqualified by section 9 or 10 of the "Act respecting the Senate and House of Commons," being chapter 11 of the Revised Statutes, by reason of his Holding certain offices.

Contractors with Government.

holding certain offices of emolument or being interested in a contract or agreement with the Crown;

Members of provincial legislatures.

(*c.*) Every person disqualified by section 1 of the "Act respecting the House of Commons," being chapter 13 of the Revised Statutes, by reason of his being a member of the legislature of any province.

Election of disqualified person to be void.

6. If a person declared ineligible by paragraph (*a*) or (*b*) of the next preceding section is nevertheless returned as a member, his election and return shall be null and void.

Votes for member of provincial legislature to be thrown away.

(2.) If a member of the legislature of any province, notwithstanding his disqualification as in the next preceding section mentioned, receives a majority of votes at an election, such majority of votes shall be thrown away, and the returning officer shall return the person having the next greatest number of votes, provided he is otherwise eligible.

Qualification of Voters.

Who shall not vote.

7. The following persons shall be disqualified and incompetent to vote at any Dominion election, whether disqualified and incompetent or not to vote at a provincial election:—

Judges.

(*a.*) The judges of every court now existing or hereafter created whose appointment rests with the Governor General;

Persons disqualified by sections 126 and 129.

(*b.*) Persons disfranchised for corrupt practices under sections 126 and 129 of this Act;

Bribed voters.

1894, c. 14.

(*c.*) Persons disfranchised for taking bribes under section 15 of the "Act to disfranchise voters who have taken bribes," being chapter 14 of the statutes of 1894.

Certain officers and others may not vote at election at which they are employed.

8. The following persons shall be disqualified and incompetent to vote at an election for the electoral district for which or for a portion of which they hold their offices or positions, whether disqualified and incompetent or not to vote at a provincial election;

(*a.*) Returning officers and election clerks, but not deputy returning officers, poll clerks or constables, whether appointed by the returning officer or by a deputy returning officer, employed in connection with the election;

(*b.*) Any person who at any time, either before or during the election, has been or is employed at the same election or in reference thereto by any person as counsel, attorney, solicitor, agent or clerk at any polling place at any such election, or in any other capacity, and who has received or expects to receive, either before, during or after the said election from any person for acting in any such capacity as aforesaid, any sum of money, fee, office, place of employment, or any promise, pledge or security for any sum of money, fee, office, place or employment.

Exception in case of tie.

(2.) The returning officer may, nevertheless, as hereinafter provided, vote in the case of an equality of votes between candidates.

Disqualification under section 113.

9. Every person guilty at an election of the unlawful act mentioned in section 113 is disqualified from voting at such election.

Writs of Election.

Date and return of writ.

10. Every writ for an election shall be dated and be returnable on such days as the Governor-General determines.

Address.

(2.) It shall be addressed and forwarded by the Clerk of the Crown in Chancery to the person appointed by the Governor-General as hereinafter provided.

Transmission.

(3.) It shall be transmitted to such person by mail, unless otherwise ordered by the Governor-General.

Form.

(4.) It shall be in the form A.

Election Officers.

Returning officers.

Proviso.

11. The person to whom a writ is addressed, as hereinbefore provided, shall be the returning officer at the election to which such writ relates; Provided always, that if the person to whom the writ has been addressed refuses, or is disqualified or unable to act, the Governor-General may appoint another person to be such returning officer.

Who shall not act as election officers.

12. None of the persons following shall be appointed returning officers, or deputy returning officers, election clerks or poll clerks:—

(*a.*) Members of the Queen's Privy Council for Canada or of the Executive Council of any province;

(*b.*) Members of the Senate or members of the Legislative Council of any province;

(*c.*) Members of the House of Commons or members of the Legislative Assembly of any province;

(*d.*) Ministers, priests or ecclesiastics of any religious faith or worship;

(*e.*) Judges of the courts of superior, civil or criminal jurisdiction, or judges of any county or district court, insolvent court or admiralty court;

(*f.*) Persons who have served in the Parliament of Canada in the session immediately preceding the election, or in the then present session of Parliament;

(*g.*) Persons who have been found guilty by the House of Commons, or by any court for the trial of controverted elections, or other competent tribunal of any offence or dereliction of duty in violation of this Act, or of an offence in violation of a provincial Act relating to elections, or of the "Act to disfranchise voters who have taken bribes," being chapter 14 of the statutes of 1894;

(*h.*) Persons who have been convicted of an indictable offence.

Residence of election officers.

13. No person shall be appointed deputy returning officer or election clerk or poll clerk who is not a resident of the electoral district within which he is to act.

Who shall not be bound to act as such.

14. None of the following persons, unless they are sheriffs, registrars, town clerks or assessors, shall be obliged to act as returning officers, deputy returning officers, election clerks or poll clerks, that is to say:—

(*a.*) Professors in any university, college, high school or academy;
(*b.*) Physicians or surgeons;
(*c.*) Millers;
(*d.*) Postmasters, customs officers, or clerks in post offices or customs offices;
(*e.*) Persons of sixty years of age or upwards;
(*f.*) Persons who have previously served as returning officers at a Dominion election.

Endorsing receipt of writ; oath of returning officer.

15. The returning officer shall, on receiving the writ of election, forthwith endorse thereon the date on which he receives it, and before taking any further action thereon he shall take the oath of office in the form B.

Appointment of election clerk.

16. The returning officer, by a commission under his hand, in the form C, shall appoint an election clerk, and may, at any time during the election, appoint, in the same manner, another election clerk, if the one first appointed resigns, or refuses or is unable to perform his duties as such clerk.

Oath of office.

17. The election clerk shall, before acting as such, take the oath of office in the form D.

Duties.

18. The election clerk shall assist the returning officer in the performance of his duties, and act in his stead as returning officer whenever the returning officer refuses or is disqualified or unable to perform his duties and has not been replaced by another.

Misfeasance, etc., by election officers.
Penalty.

19. Every officer and clerk who is guilty of any wilful misfeasance or any wilful act or omission in violation of this Act shall forfeit to any person aggrieved by such misfeasance, act or omission, a sum not exceeding five hundred dollars, in addition to the amount of all actual damages thereby occasioned to such person.

Neglect of duty by election officers.
Penalty.

20. Every returning officer, deputy returning officer, election clerk or poll clerk, who refuses or neglects to perform any of the obligations or formalities required of him by this Act shall, for each such refusal or neglect, forfeit the sum of two hundred dollars to any person who sues therefor.

Copies of Act and instructions to be sent to the returning officer.

21. Immediately after the issue of the writ of election the Clerk of the Crown in Chancery shall transmit to the returning officer a sufficient number of copies of voters' lists, if there are any, one copy of this Act, and of such instructions approved by the Governor in Council as are required to carry out the election according to the provisions of this Act (with a copious alphabetical index prefixed), for the returning officer himself, one copy for the election clerk, and one for each of the deputy returning officers, and also for each deputy returning officer a blank poll-book and all the blank forms necessary for the purposes of such election, except forms E, I, and P, which the returning officer shall himself cause to be printed.

What instructions shall include.

(2.) The instructions referred to in subsection 1 of this section shall contain forms of the oaths referred to in sections 65, 66 and 68 of this Act, the same having been made applicable to the election being held, and in the case of returning officers in the province of Prince Edward Island they shall be accompanied by the sections of the provincial law relating to the qualifications of voters.

Polling Divisions and Voters' Lists.

Returning officer to obtain voters lists, etc.

22. Forthwith after the receipt of the writ for a Dominion election the returning officer shall obtain from the officers who are the legal custodians thereof or of duly certified duplicates or copies thereof, such certified copies of by-laws, orders, proclamations or other documents or proceedings defining the several provincial polling divisions situate either wholly or partially within the territory comprised in the electoral district for which such election is to be held as are necessary, or as he deems necessary, to the performance of his duties as returning officer, and such provincial voters' lists, or certified copies thereof or extracts therefrom, as he requires in addition to the lists supplied by the Clerk of the Crown in Chancery; and every such officer who omits or refuses to furnish within a reasonable time any such voters' list or copy thereof, or extract therefrom, or any such copy of a by-law, or order, or proclamation or other document or proceeding demanded by the returning officer shall be guilty of an indictable offence and incur a penalty not exceeding two thousand dollars and not less than two hundred dollars.

Penalty for not furnishing them

Fees.

(2.) The legal custodian from whom any such document is so obtained shall be paid therefor the same fees (if any) as in the case of such document being obtained by a returning officer for the purposes of a provincial election.

Any person entitled to copy of list on payment of fee.

(3.) The legal custodian of any voters' list shall deliver certified copies thereof, or of any part thereof, as last revised and corrected, to any person applying therefor, on payment therefor of a fee not exceeding the fee (if any) allowed by the provincial law in the like case, and not exceeding in any case ten cents for a printed list and one cent for every two names in writing if the list or part of the list is written.

Where under provincial law there are no polling divisions.

23. Where under the laws of the province there are no polling divisions for the purpose of provincial elections, the returning officer shall forthwith after the receipt of the writ subdivide the electoral district into as many polling divisions as he deems necessary for the convenience of the electors, adopting so far as he deems it expedient the polling divisions, if any there were, at the last Dominion election, and so that, as far as is possible, a polling division shall contain not more than three hundred and not fewer than two hundred qualified voters' names; and he shall number or otherwise designate such polling divisions, and fix upon a suitable polling station in each.

Proclamation by Returning Officer.

Proclamation by returning officer.

24. Within the shortest possible time after the reception of the writ in the electoral districts of Algoma, in the province of Ontario, of Gaspé and Chicoutimi and Saguenay, in the province of Quebec, and of Burrard and Yale and Cariboo, in the province of British Columbia, and within eight days after its reception in the other electoral districts of Canada, the returning officer shall, by a proclamation under his hand, issued in the English and French languages in every electoral district in the province of Quebec and in the province of Manitoba, and in the English language only in the other electoral districts, indicate

(*a.*) The place and time fixed for the nomination of candidates;

(*b.*) The day on which the poll for taking the votes of the electors is to be held, in case a poll is demanded;

(*c.*) The several polling stations fixed by him, including those fixed under the next preceding section, and the territorial limits to which they respectively apply;

(*d.*) The time when and the place where the returning officer will add up the number of votes given to the several candidates.

Form.

(2.) Such proclamation shall be in the form E.

Posting up proclamation.

25. The proclamation shall be posted up in all the electoral districts at least eight days before the day fixed for the nomination of candidates, neither the last day of posting it up nor the day of nomination being reckoned.

How to be published.

26. The returning officer shall cause the said proclamation to be posted up at four of the most prominent and conspicuous places in each city, town and village (or ward of such city, town or village, when it is subdivided into wards), and at four of the most prominent and conspicuous places in each parish, township or division of parish or township, within the electoral district for which the election is to take place.

The Nomination.

Nomination day, how fixed.

27. The Governor-General shall, except as hereinafter mentioned, fix the day for the nomination of candidates at the election.

For general election.

(2.) At every general election he shall fix one and the same day for the nomination of candidates in all the electoral districts, except in the electoral districts of Algoma in the province of Ontario, of Gaspé and Chicoutimi and Saguenay, in the province of Quebec, and of Burrard and Yale and Cariboo, in the province of British Columbia.

Exception.

Day to be named in the writs.

28. The day so fixed by the Governor-General shall be named in the writs of election for the several electoral districts respectively to which such day applies.

Nomination and polling days in certain districts.

29. In the electoral districts of Algoma, in the province of Ontario, of Gaspé and Chicoutimi and Saguenay, in the province of Quebec, and of Burrard and Yale and Cariboo, in the province of British Columbia, the returning officers shall fix the day for the nomination of candidates, and also the day and places for holding the polls; the nomination in the said electoral districts shall take place not less than eight days after the proclamation hereinbefore required has been posted up, neither the last day of posting it up nor the day of nomination being reckoned; and the day for holding the polls shall be at as early a date thereafter as possible, but not less than seven days after nomination, and at a general election it shall, if possible, be the same day as that fixed by the Governor-General for the other electoral districts, but not sooner.

Postponement of nomination in case of unforeseen event.

30. Whenever from unforeseen accident or delay, or otherwise, the proclamation hereinbefore mentioned cannot be posted up so as to leave the required delay between the posting up of the proclamation and the nomination day appointed by the Governor-General, or by the returning officer, as the case may be, the returning officer shall fix another day for the nomination of candidates,—which day shall be the nearest day possible after allowing the number of days required by the next preceding section between the posting up of the proclamation and the nomination day; and in every such case the returning officer shall, with his return, make to the Clerk of the Crown in Chancery a special report of the causes which occasioned the postponement of the election.

Place of nomination.

31. The place fixed for the nomination of candidates shall be the court house, city or town hall, or some other public or private building, in the most central or most convenient place for the majority of the electors of each electoral district.

Hours for nomination.

32. The time appointed for the nomination of candidates shall be from the hour of twelve at noon until the hour of two in the afternoon of the day fixed for that purpose.

Form of nomination.

33. Any twenty-five electors may nominate a candidate or as many candidates as are required to be elected for the electoral district for which the election is held, by signing a nomination paper in the form F, stating therein the name, residence and addition or description of each person proposed, in such manner as sufficiently to identify such candidate, and by causing the said nomination paper to be produced to the returning officer at the time and place indicated in the said proclamation or to be filed with the returning officer as hereinafter mentioned.

Each Candidate separately.

(2.) Each candidate shall be nominated by a separate nomination paper; but the same electors, or any of them, may subscribe as many nomination papers as there are members to be elected.

Nomination papers may be filed with returning officer at other places and times.

(3.) Such nomination papers may also be filed with the returning officer at any other place, and at any time between the date of the proclamation and the day of nomination with the same effect as if produced at the time and place fixed for the nomination; and at the close of the time for nominating the candidates, the returning officer shall deliver to every candidate or agent of a candidate applying therefor a duly certified list of the names of the several candidates who have been nominated; and any votes given at the election for any other candidates than those so nominated shall be null and void.

Votes for candidates not nominated, null.

34. No nomination paper shall be valid and acted upon by the returning officer unless it is accompanied by the consent in writing of the person therein nominated, except when such person is absent from the province in which the election is to be held,—in which case such absence shall be stated in the nomination paper; and unless a sum of two hundred dollars, in legal tender or in the bills of any chartered bank doing business in Canada, is deposited in the hands of the returning officer at the time the nomination paper is filed with him. Consent of candidate. Deposit by him.

(2.) The receipt of the returning officer shall, in every case, be sufficient evidence of the production of the nomination paper, of the consent of the candidate, and of the payment herein mentioned. Evidence thereof.

(3.) The sum so deposited by any candidate shall be returned to him in the event of his being elected or of his obtaining a number of votes at least equal to one-half the number of votes polled in favour of the candidate elected,—otherwise, except in the case provided for by section 39, it shall belong to Her Majesty for the public uses of Canada; and the sums so paid and not returned as herein provided shall be applied by the returning officer towards the payment of the election expenses; and an account thereof shall be rendered by him to the Auditor-General of Canada. Deposit, how to be dealt with.

35. The returning officer shall require the person, or one or more of the persons, producing or filing as aforesaid any such nomination paper, to make oath before him that he knows or they know that the several persons who have signed such nomination paper are electors duly entitled to vote, and that they have signed it in his or their presence, and that the consent of the candidate had been signed in his or their presence, or that the person named as candidate is absent from the province, as the case may be. Nomination paper to be attested.

(2.) Such oath may be in the form G, and the fact of its having been taken shall be stated on the back of the nomination paper. Form of oath.

36. Whenever only one candidate, or only such a number of candidates as are required by law to be elected to represent the electoral district for which the election is held, have been nominated within the time fixed for that purpose, the returning officer shall forthwith make his return to the Clerk of the Crown in Chancery that such candidate or candidates, as the case may be, is or are duly elected for the said electoral district,—of which return he shall send within forty-eight hours a duplicate or certified copy to the person or persons elected: and such return shall be in the form H. Return when no more candidates than members to be elected.

37. The returning officer shall accompany his return to the Clerk of the Crown in Chancery with a report of his proceedings and of any nomination proposed and rejected for non-compliance with the requirements of this Act. Report with return.

38. Any candidate nominated may withdraw at any time after his nomination, and before the closing of the poll, by filing with the returning officer a declaration in writing to that effect, signed by himself; and any votes cast for the candidate who has so withdrawn shall be null and void; and if, after the withdrawal, there remains but one candidate, or no more than the number to be elected, then the returning officer shall return as duly elected the candidate or candidates so remaining, without waiting for the day fixed for holding the poll, or for the closing of the poll if such withdrawal is filed on the polling day. Withdrawal of candidates. If no more remain than there are members to be elected.

39. If a candidate dies after being nominated and before the closing of the poll, the returning officer may fix another day for the nomination of candidates,—which day shall be the nearest day possible after allowing the number of days required by section 26 between the posting up of the proclamation and the nomination day; and in such case the returning officer shall, with his return, make to the Clerk of the Crown in Chancery a special report of the death of the candidate having occasioned the postponement of the election. Death of candidate.

(2.) In such case the candidate's deposit shall be returned to his personal representatives. Deposit, how to be dealt with.

40. If more candidates than the number required to be elected for the electoral district are nominated in the manner required by this Act, the returning officer shall grant a poll for taking the votes of the electors. Granting of poll.

Proceedings between Nomination and Poll.

41. On a poll being granted, the returning officer shall,— Duties of returning officer.

(*a.*) cause to be posted up notices of his having granted such poll, indicating the names, residences and occupations of the candidates nominated, in the order in which they are to be printed on the ballot papers hereinafter mentioned, and in Prince Edward Island such notice or advertisement regarding the qualification of voters as is required to be posted under the provincial law,—which notices shall, as soon as possible after the nomination, be placarded at all the places where the proclamation for the election was posted up, and shall be in the form I.; Notice of poll.

(*b.*) appoint, by a commisson under his hand, in the form J, one deputy returning officer for each polling division in the electoral district, who shall, before acting as such, take the oath of office in the form K; Deputies.

(*c.*) furnish each deputy returning officer with a copy of this Act and one copy of the voters' list, if there is one, for the polling division for which he is appointed,—such copy of the voters' list being first certified by himself,—and one copy of the instructions approved by the Governor in Council as provided in section 21 of this Act; Copies of Act and of voters' list.

(*d.*) deliver to each deputy returning officer, two days at least before the polling day, a blank poll book, forms of oaths to be administered to voters, envelopes, sealing wax and a ballot box, and also a screen if one is required; Ballot boxes, forms, etc.

(*e.*) furnish each deputy returning officer with a sufficient number of ballot papers (all being of the same description and nearly as possible alike) to supply the number of voters on the list of such polling division, and a certificate of the number of such ballot papers, and with the necessary materials for voters to mark their ballot papers, Ballot papers.

To be stamped.

—every ballot paper so furnished by the returning officer being stamped by him with a stamp furnished to him for that purpose by the Clerk of the Crown in Chancery, the stamp being so placed on the ballot paper that when the latter is folded by a voter the stamp can be seen without the ballot paper being opened;

Directions for voters

(*f*.) furnish each deputy returning officer with at least ten copies of printed directions, in the form L, for the guidance of voters in voting,—which printed directions the deputy returning officer shall, before or at the opening of the poll, on the day of polling, cause to be posted up in some conspicuous places outside of the polling station, and also in each compartment of the polling station;

Lists of deputies.

(*g*.) and shall, at least two days before the day fixed for polling, furnish to each candidate or his agent, a list of all deputy returning officers appointed to act in such election, with the name or number of the booth at which each of them is to act.

Returning officer's stamp.

(2.) The stamp referred to in paragraph (*e*) of subsection 1 of this section shall be specially designed and made for the purposes of each election, and shall be forwarded by the Clerk of the Crown in Chancery to the returning officer, so as to reach him on or about the day of the nomination of candidates. It shall show the name of the electoral district and the year of the election, and shall be of such design that an impression made from it shall be readily recognizable.

Poll clerk.

42. Each deputy returning officer shall forthwith appoint by commission under his hand, in the form M, a poll clerk, who, before acting as such clerk, shall take the oath in the form N.

Information as to deputies and poll clerk.

(2.) Each deputy returning officer shall, if practicable, furnish to the returning officer, not later than nine o'clock in the morning of the day prior to the day fixed for polling, the name and occupation or addition of such poll clerk; and the returning officer shall, not later than twelve o'clock noon of the day prior to the day fixed for polling, post up in his office a list of the deputy returning officers and poll clerks, with the occupation or addition of each, showing the booth where each is to act, and shall permit free access to and afford full opportunity for inspection of such list by any candidate, agent or elector up to at least six o'clock of the evening of the same day.

Poll clerk to act as deputy in certain cases.

43. Whenever a deputy returning officer refuses or is unable to act, the returning officer may appoint another person to act in his place as deputy returning officer; and if no such appointment is made, the poll clerk, without taking another oath of office, shall act as deputy returning officer.

And appoint poll clerk under him.

(2.) Whenever the poll clerk acts as deputy returning officer, he shall, by a commission in the form O, appoint a poll clerk, to act in his stead, who shall take the oath required by the next preceding section of this Act.

Furnishing of ballot boxes by clerk of the Crown in Chancery.

44. The Clerk of the Crown in Chancery may cause to be made for each electoral district such number of ballot boxes as are required; or may give to the returning officers such instructions as are deemed necessary to secure ballot boxes of a uniform size and shape,—such instructions being first approved of by the Governor in Council.

Ballot boxes, &c., furnished by sheriff and registrar.

45. The sheriff or the registrar of the county or registration division, or the postmaster of the locality, in which the nomination has been held shall, immediately after the granting of the poll, deliver to the returning officer the ballot boxes deposited in his custody in accordance with this Act.

If ballot box or screen is not furnished.

46. Whenever the returning officer fails to furnish the ballot box and screen, or either of them, to the deputy returning officer for any polling division within the time prescribed by this Act, such deputy returning officer shall cause them, or whichever of them is wanting, to be made.

Construction of ballot boxes.

47. The ballot box shall be made of some durable material, with one lock and key, and a slit or narrow opening in the top, and so constructed that the ballot papers may be introduced therein, but cannot be withdrawn therefrom unless the box is unlocked.

Ballot papers, form of.

48. The ballot of each voter shall be a printed paper, in this Act called a ballot paper, on which the names of the candidates, alphabetically arranged in the order of their surnames, shall be printed exactly as they are set out in the nomination paper; and the ballot paper shall also be provided with a blank counterfoil and a stub, the whole as in form P.

Names on ballot paper.

(2.) Where two members are to be elected for the electoral division and there are more than two candidates, the candidates may, within an hour after the time appointed for the nomination, agree to their names being arranged otherwise than alphabetically, and in such case the returning officer shall have the names arranged accordingly on the ballot paper.

Description of paper to be used.

(3.) The ballot shall be printed upon thick writing paper of the following weight: if foolscap paper is used, it shall be of a weight of not less than sixteen pounds to the ream; if large post paper is used, it shall be of a weight of not less than twenty-five pounds to the ream.

Clerk of the Crown in Chancery to furnish paper.

(4.) The paper required for the printing of the ballot papers shall be furnished to the returning officer by the Clerk of the Crown in Chancery when the writ for the election is transmitted to him.

Binding and numbering.

(5.) The ballot papers shall be numbered on the stub and shall be bound or stitched in books containing 25, 50 or 100 ballots, as may be most suitable for supplying the polling divisions proportionately to the number of voters in each.

Printer's name.

(6.) The ballot papers shall bear the name of the printer who prints them.

Printer's affidavit.

(7.) The printer shall, upon delivering the ballot papers to the returning officer, file in his hands an affidavit setting forth the description of the ballot papers so printed by him, the number of ballot papers supplied to such returning officer, and the fact that no other ballot papers have been supplied by him to any one else.

Property of ballot boxes, &c.

49. The property of the ballot boxes, ballot papers, envelopes and marking instruments procured for or used at any election shall be in Her Majesty.

The Poll.

Polling day.

50. Except as hereinbefore provided, the day for holding the poll shall be the seventh day next after the expiration of the day fixed for the nomination of candidates, that is on the same or corresponding day of the week next after that on which the nomination has taken place; or if such seventh day is a statutory holiday, then on the next following day not being a Sunday or a statutory holiday.

Where the poll shall be held. Compartments. Table to be provided.

51. The poll shall be held in each polling division in a room or building of convenient access, with an outside door for the admittance of voters, and having, if possible, another door through which they may leave after having voted; and one or two compartments shall be made within the room, so arranged that each voter may be screened from observation, and may, without interference or interruption, mark his ballot paper; and a table or desk with a hard and smooth surface shall be provided, upon which the voter may mark his ballot paper; and a suitable black lead pencil shall be provided and kept properly sharpened throughout the hours of polling for the use of the voters in marking their ballots.

Instructions by Clerk of the Crown in Chancery.

(2.) The Clerk of the Crown in Chancery may give to the returning officers such instructions as are deemed necessary as to the mode of making the compartments,—such instructions being first approved by the Governor in Council.

Hours for polling.

52. The poll shall be opened at the hour of nine of the clock in the forenoon and kept open until five of the clock in the afternoon of the same day, and each deputy returning officer shall, during that time, in the polling station assigned to him receive, in the manner hereinafter prescribed, the votes of the electors duly qualified to vote at such polling station.

Who may be present in the polling station.

53. In addition to the deputy returning officer and the poll clerk, the candidates and their agents (not exceeding two in number for each candidate in each polling station), and, in the absence of agents, two electors to represent each candidate on the request of such electors, and no others, shall be permitted to remain in the room where the votes are given, during the time the poll remains open.

Agents, if authorised in writing.

Provided always, that any agent bearing a written authorisation from the candidate shall always be entitled to represent such candidate in preference to, and to the exclusion of, any two eletors who might otherwise claim the right of representing such candidate under this section.

Who may act as agents for candidates.

54. Any person producing to the returning officer or deputy returning officer, at any time, a written authority from a candidate to represent him at the election or at any proceeding of the election, shall be deemed an agent of such candidate within the meaning of this Act.

As to provisions requiring presence of agents, &c.

55. Whenever in this Act any expressions are used, requiring or authorising any act to be done, or implying that any act or thing is to be done, in the presence of agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as are authorised to attend, and as have, in fact, attended at the time and place where such act or thing is being done; and the non-attendance of any agents or agent at such time and place shall not, if the act or thing is otherwise duly done, invalidate in any wise the act or thing done.

Candidate may act as his own agent.

56. A candidate may himself undertake the duties which any agent of his, if appointed, might have undertaken, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may, in pursuance of this Act, be authorised to attend.

Who may not act as agents.

57. Every returning officer or deputy returning officer of an electoral district, and every partner or clerk of either of them, who acts as agent for any candidate in the management or conduct of his election for such electoral district, is guilty of an indictable offence.

Oath of secrecy.

58. One of the agents of each candidate, and, in the absence of such agent, one of the electors representing each candidate, if there is such elector, on being admitted to the polling station, shall take an oath to keep secret the names of the candidates for whom any of the voters has marked his ballot paper in his presence, as hereinafter required,—which oath shall be in the form Q.

Inspection of ballot papers, &c., before opening of poll.

59. Agents and electors entitled to be present in the room of the polling station during polling hours, shall be entitled to have the packets of ballot papers intended for use thereat carefully counted in their presence before the opening of the poll, and shall be entitled to inspect such ballot papers and all other papers, forms and documents relating to the poll, provided such agents or electors are in attendance at least fifteen minutes before the hour fixed for opening the poll.

Where electors shall vote.

60. Where there is a voters' list each elector shall, subject to the provisions contained in the next following section of this Act, be entitled to vote only at the polling station of the polling division or one of the polling divisions, upon the list of voters for which his name is entered as such voter, and at no other except as otherwise provided by paragraph (*f*) of section 5 of "The Franchise Act, 1898."

In P. E. I.

(2.) In the province of Prince Edward Island, subject to the provisions contained in the next following section of this Act, every elector qualified to vote in the electoral district in which he resides shall vote in such district in the electoral division, or, in case such electoral division is sub-divided, in the polling division thereof in which he resides, and not elsewhere; and every elector qualified to vote in an electoral district in which he does not reside, shall vote in the polling division thereof in which is situate the property on which he claims to vote, and not elsewhere.

Provision as to election officers or agents entitled to vote.

61. The returning officer, on the request of any elector entitled to vote at one of the polling stations, who is appointed deputy returning officer or poll clerk, or who is named the agent of any of the candidates for a polling station other than the one where he is entitled to vote, shall give to such elector a certificate that such deputy returning officer, poll clerk or agent is entitled to vote at such election at the polling station where such elector is stationed during the polling day, and on the production of such certificate such deputy returning officer, poll clerk or agent shall have the right to vote at the polling station where he is

placed during the polling day, instead of at the polling station where he would otherwise have been entitled to vote; provided that no such certificate shall entitle any such elector to vote at such polling station unless he has been actually engaged as such deputy returning officer, poll clerk or agent during the day of polling; provided also that no more than two agents of any candidate shall have the right to vote at any one polling place under such certificates.

Proviso.

Proviso.

Limitation.

(2.) The returning officer shall not grant such certificate for more than two agents for each candidate at or for each polling station.

Form of oath.

(3.) Every person so appointed deputy returning officer, poll clerk or agent, and claiming to vote by virtue of such certificate, shall, if required, before voting, take the oath in the form R.

Oath to be filed.

(4.) Such oath, with the corresponding certificate of the returning officer, shall be filed with the deputy returning officer at the polling station where the person taking it has voted.

Opening the poll; showing and locking ballot box.

62. At the hour fixed for opening the poll, the deputy returning officer and the poll clerk shall, in the presence of the candidates, their agents, and such of the electors as are present, open the ballot box and ascertain that there are no ballot papers or other papers therein, after which the box shall be locked, and the deputy returning officer shall keep the key thereof.

Calling voters.

63. Immediately after the ballot box is locked, as above provided, the deputy returning officer shall call upon the electors to vote.

Voters not to be impeded.

(2.) The deputy returning officer shall secure the admittance of every elector into the polling station, and shall see that he is not impeded or molested at or about the polling station.

Elector to declare his name, &c.

64. Not more than one elector for each compartment shall, at any one time, enter the room where the poll is held, and each elector upon so entering shall declare his name and addition, and in the province of Prince Edward Island his qualification also,—which particulars shall be entered in the poll book by the poll clerk, a number being prefixed to the name.

Poll book.

(2.) The poll book shall be kept in the form S.

If name is on book.

(3.) If the elector's name is found on the list of voters for the polling division of the polling station, he shall, subject to the provisions hereinafter contained, be entitled to vote.

If there is no list.

(4.) If, in any polling division where by or under the provincial law no list of voters is required or provided, he is qualified, he shall be entitled to vote.

If name omitted on account of provincial disqualification.

(5.) If his name has been omitted from the list of voters on account of some disqualifying provision of the provincial law specified in section 6 of "The Franchise Act, 1898," he shall be entitled to vote upon his taking or offering to take the oath in the form T: Provided that his right so to vote shall be subject to the provisions of sections 65 to 68 of this Act and to the other provisions hereinafter contained.

Voter in city changing his residence.

(6.) If the name of any person is found on the voters' list to be used at any polling division of an electoral district situate wholly or partly within the limits of a city or incorporated town, and—

if, between the time when such list came into force for the purposes of a Dominion election and the polling day at such election, such person has changed his residence from one part of such city or town to another part thereof,—

then, notwithstanding anything to the contrary in the provincial law as applicable under "The Franchise Act, 1898," or under this Act, to such election, such person shall not be disqualified from voting in such polling division.

Oath to be modified.

(7.) From any oath which any such person offering his vote at such election may be required to take there shall be omitted any statements as to residence which he cannot, by reason of such change of residence as is mentioned in the next preceding subsection, truthfully make, and instead of such statements the following paragraph may be added to such oath:—

"That you are now actually a resident of and domiciled in the city (or town) of [*insert here the name of the city or town*] of which this polling division is a part."

Oath by elector.

65. An elector, if required by the deputy returning officer, the poll clerk, one of the candidates, or an agent of a candidate, or by any elector present shall, before receiving his ballot paper, take such oath of qualification as by the law of the province he may in the like case at a provincial election be required to take, such changes having been made in the form of oath as are necessary to make it applicable to the election being held, and shall also, if so required, take the oath in form U.

Oaths, &c., in P.E.I.

66. In the province of Prince Edward Island an elector, if required by the deputy returning officer, the poll clerk, one of the candidates, or an agent of a candidate, or by any elector present, shall, before receiving his ballot paper, answer such questions and produce such certificate or receipt (or in case such certificate or receipt cannot be produced, take the oath in such cases prescribed), and take such other oath of qualification as by the law of the province he may in the like case at a provincial election be required to answer, produce, or take, such changes having been made in the form of oaths as are necessary to make them applicable to the election being held.

Objections to voters in P.E.I.

67. In the province of Prince Edward Island, if any person desires to vote whose right to vote is objected to on the ground of want of qualification, and if a candidate, or any agent of a candidate, or (in the absence of such agent) any elector acting in the interest of a candidate, so objects in the presence of the elector, the deputy returning officer, in addition to placing his initials on the back of the ballot paper, as provided by section 70, shall also place on the back thereof a number corresponding to that placed opposite the voter's name in the poll book; and such person having taken, if required, the oaths prescribed by this Act and the laws of the province, and having otherwise complied with the requirements of the law, shall be entitled to receive such ballot paper and to vote.

Penalty for offences by deputy returning officer.

(2.) In Prince Edward Island, if the deputy returning officer refuses a ballot and the right to vote to any person who is entitled to vote and is willing to take the oaths prescribed by this Act and the provincial law, and has otherwise complied with the requirements of the

law, or gives a ballot to and allows to vote any person who refuses to take such oaths or to otherwise comply with the requirements of the law, he shall, for such offence, be liable, to any person who sues therefor, to a penalty of two hundred dollars.

Voter refusing to be sworn or to answer questions.

68. No voter who has refused to take the oath or affirmation, or to answer questions or produce evidence as to qualification as aforesaid, or to take the oath in the form U, when required to do so, shall receive a ballot paper or be admitted to vote.

Qualification of voters absent on military service.

69. Notwithstanding anything contained in any Act of Parliament or in any Act of a provincial legislature, no person otherwise qualified to vote at an election of a member to serve in the House of Commons shall be incompetent to vote at such election by reason only of his having been absent from the electoral district in which such election is held, and in which he would otherwise be entitled to vote, by reason of his serving with or being attached to any corps despatched from Canada for military service, or performing military service within Canada, whether as an officer, a non-commissioned officer, or a private, or in any other capacity, or while serving Her Majesty in any military capacity, or acting as a war correspondent in connection with any war in which a Canadian contingent is serving.

Oath of such voter.

(2.) From any oath which any person tendering his vote at such an election may be required to take, there shall in the case of any person within the meaning of subsection 1 of this section be omitted any statements as to residence which such person cannot by reason of such absence as aforesaid truthfully make, and there may be added to any such oath one of the following paragraphs:—

"That you served with (*or were attached to*) the corps known as as (an officer, non-commissioned officer, *or* private, *or otherwise, as the case may be*), —*or*

"That you served Her Majesty in connection with the war in a military capacity as , —*or*

"That in connection with the war you acted as a war correspondent and that you were in consequence absent from this electoral district from the day of to the day of 19 ."

If such voter's name is not on list.

(3.) If the name of any such person is not upon the list of voters, and it might have been put thereon had he not been so absent, such person shall nevertheless be entitled to vote upon his offering to take, and taking if so requested, before the deputy returning officer or other person in charge of the polling station, any oath he might otherwise have been required to take, omitting statements therein as to his name being upon the list which he cannot by reason of such absence truthfully make, and one of the paragraphs prescribed in subsection 2 being added thereto as well as the following paragraph:

"That you were qualified to have your name upon the list of voters at the time such list was prepared except for the fact of your absence from Canada as aforesaid."

Ballot paper to be initialled and numbered by deputy returning officer.

70. The votes shall be given by ballot, and each elector who is entitled to vote shall receive from the deputy returning officer a ballot paper, on the back of which such deputy returning officer has previously put his initials, so placed that when the ballot is folded they can be seen without opening it, and on the counterfoil of which he has placed a number corresponding to that placed opposite the voter's name in the poll book.

Deputy returning officer to instruct elector.

71. The deputy returning officer shall instruct the elector how and where to affix his mark, and how to fold his ballot paper, but without inquiring or seeing for whom the elector intends to vote, except in the case provided for in section 75.

Mode of voting and marking ballots, &c.

72. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments of the polling station and there mark his ballot paper, making a cross with a black lead pencil within the white space containing the name of the candidate, or of each of the candidates, for whom he intends to vote, and shall then fold up the ballot paper so that the initials and stamp on the back of it and the number on the counterfoil can be seen without opening it, and hand it to the deputy returning officer, who shall, without unfolding it, ascertain by examining his initials and the stamp and the number on the counterfoil, that it is the same which he furnished to the elector, and shall then, in full view of those present, including the elector, remove the counterfoil and destroy it and place the ballot paper in the ballot box, which box shall be placed on a table in full view of those present.

Elector spoiling his ballot paper.

73. A voter who has inadvertently dealt with the ballot paper given him in such manner that it cannot be conveniently used shall, on returning it to the deputy returning officer, who shall deface it, obtain another ballot paper in its place.

Elector in whose name another has previously voted.

74. If a person, representing himself to be a particular elector, applies for a ballot paper after another person has voted as such elector, the applicant, upon taking the oath in the form V if his name is on the list of voters, in the form T if his name is not on the list of voters, or in the form required by the provincial law in such case if there is no list of voters, and otherwise establishing his identity to the satisfaction of the deputy returning officer, shall be entitled to receive a ballot paper, on which the deputy returning officer shall put his initials, together with a number corresponding to the number entered on the poll-book opposite the name of such voter, and he shall thereupon be entitled to vote as any other elector.

Entry in poll-book.

(2.) The name of such voter shall be entered in the poll-book, and a note shall be made of his having voted on a second ballot paper issued under the same name, and of the oath of qualification having been required and made, as well as of any objections made on behalf of any and which of the candidates.

Voter unable to mark his ballot paper

75. The deputy returning officer, on the application of any voter who is unable to read or is incapacitated by blindness or other physical cause from voting in the manner prescribed by this Act, shall assist such voter by marking his ballot paper in the manner directed by such voter, in the presence of the sworn agents of the candidates, or of the sworn

electors representing them in the polling station, and of no other person, and by placing such ballot paper in the ballot box; and the deputy returning officer shall require the voter making such application, before voting, to make oath of his incapacity to vote without such assistance, in the form W.

Interpreter to be sworn in certain cases. If Interpreter cannot be found.

(2.) Whenever the deputy returning officer does not understand the language spoken by any such elector claiming to vote, he shall swear an interpreter, who shall be the means of communication between him and such elector with reference to all matters required to enable such elector to vote; and in case no interpreter is found, such elector shall not be allowed to vote.

Deputy to enter reasons for marking by him.

(3.) The deputy returning officer shall enter in the poll book opposite the names of the voters whose ballot papers have been so marked, in addition to what is required by section 78, the reason why each ballot paper was marked by him.

No delay in voting.

76. Every elector shall vote without undue delay, and shall quit the polling station so soon as his ballot paper has been put into the ballot box.

Voting more than once in same electoral district forbidden.

77. No person shall vote more than once in the same electoral district at the same election, but each elector may vote for as many candidates as are required to be elected to represent the electoral district for which the election is held.

Entries in poll-book.

78. The poll clerk shall enter in the poll book to be kept by him as aforesaid, opposite the name of each elector voting, the word "*Voted*," as soon as his ballot paper has been deposited in the ballot box, and he shall enter in the same book the word "*Sworn*" or "*Affirmed*" opposite the name of each elector to whom the oath or affirmation as to qualification has been administered, and the words "*Refused to be sworn*" or "*Refused to affirm*" or "*Refused to answer*" opposite the name of each elector who has refused to take any oath or to affirm, when he has been legally required so to do, or has refused to answer questions which he has been legally required to answer, and in Prince Edward Island, the words "*Objected to*" opposite the name of persons voting, whose right has been objected to under section 67 of this Act.

(2.) The poll clerk shall also enter in the poll book the words "*Provincial disqualifications oath taken*" opposite the name of each elector to whom the oath prescribed by subsection 2 of section 6 of "The Franchise Act, 1898," has been administered, and the words "*Refused to take provincial disqualifications oath,*" opposite the name of each elector who has refused to take that oath.

Offences.

79. Every one who—

(*a.*) forges, counterfeits, fraudulently alters, defaces or fraudulently destroys a ballot paper or the initials of the deputy returning officer signed thereon, or—

(*b.*) without authority supplies a ballot paper to any person, or—

(*c.*) fraudulently puts into a ballot box a paper other than the ballot paper which he is authorized by law to put in, or—

(*d.*) fraudulently takes a ballot paper out of the polling station, or—

(*e.*) without due authority destroys, takes, opens or otherwise interferes with a ballot box or book or packet of ballot papers then in use for the purposes of the election, or—

(*f.*) forges or counterfeits any stamp for the stamping of ballot papers as provided by paragraph (*e.*) of section 41 of this Act, or uses any such stamp for any purpose other than the stamping of ballot papers pursuant to the said paragraph, or, not being a returning officer, has in his possession any such stamp or any counterfeit or imitation thereof, or—

(*g.*) being a deputy returning officer, fraudulently puts, otherwise than as authorized by section 70 of this Act, his initials on the back of any paper purporting to be or capable of being used as a ballot paper at an election, or—

(*h.*) with fraudulent intent, prints any ballot paper or what purports to be or is capable of being used as a ballot paper at an election, or—

(*i.*) being authorized by the returning officer to print the ballot papers for an election, with fraudulent intent prints more ballot papers than he is authorized to print, or—

(*j.*) attempts to commit any offence specified in this section,—

Penalty.

is guilty of an indictable offence, and shall be liable, if he is a returning officer, deputy returning officer or other officer engaged at the election, to a fine not exceeding one thousand dollars and not less than three hundred dollars, or to imprisonment for a term not exceeding five years and not less than one year, with or without hard labour, in default of paying such fine,—and if he is any other person, to a fine not less than one hundred dollars and not exceeding five hundred dollars, or to imprisonment for any term not exceeding two years and not less than six months, with or without hard labour, in default of paying such fine.

Proceedings after the close of the Poll.

Counting votes by deputy returning officers.

80. Immediately after the close of the poll, the deputy returning officer shall first place all the spoiled ballots in an envelope and seal it up, and shall then count the number of voters whose names appear on the poll book as having voted, and make an entry thereof on the line immediately below the name of the voter who voted last, thus:—"*The number of voters who voted at this election in this polling division is . . . . (stating the number),*" and he shall sign his name thereto; then, in the presence of and in full view of the poll clerk and the candidates or their agents—and if the candidates and their agents or any of them are absent, then in the presence of such, if any, of them as are present, and of at least three electors, he shall open the ballot box and proceed to count the number of votes given for each candidate, giving full opportunity to those present to examine each ballot.

(2.) In counting the votes he shall reject all ballot papers which have not been supplied by the deputy returning officer, all those by which votes have been given for more candidates than are to be elected, and all those upon which there is any writing or mark by which the voter could be identified, other than the numbering by the deputy returning officer in the cases hereinbefore provided for. Rejecting ballots.

81. The deputy returning officer shall take a note of every objection made by any candidate, or his agent or any elector present, to any ballot paper found in the ballot box, and shall decide every question arising out of the objection; and the decision of the deputy returning officer shall be final, subject to reversal on recount or on petition questioning the election or return. Objections to ballot papers.

(2.) Each objection to a ballot paper shall be numbered, and a corresponding number placed on the back of the ballot paper, and initialled by the deputy returning officer. To be numbered.

(3.) This section shall not apply, in the province of Prince Edward Island, to the determination of the qualification or non-qualification of any voter whose ballot paper has been numbered and initialled under section 67 of this Act. Exception as to P.E.I.

82. The other ballot papers being counted and a list kept of the number of votes given to each candidate, and of the number of rejected ballot papers, all the ballot papers indicating the votes given for each candidate respectively shall be put into separate envelopes or parcels, and those rejected, those spoiled and those unused shall be put respectively into separate envelopes or parcels, and all such envelopes or parcels shall be endorsed so as to indicate their contents, and shall be sealed by the deputy returning officer, and shall be marked with the signatures of any agents present in the polling station who are willing to do so, by writing their signatures across the flap thereof, such agents affixing their seals on the flap if they desire to do so. Duty of deputy returning officer, after counting the votes.

(2.) In the province of Prince Edward Island, the deputy returning officer shall also, in counting the ballots, place in a separate envelope or parcel all ballot papers numbered and initialled under section 67 of this Act, such ballot papers having been previously counted for the candidate for whom respectively they have been cast. Counting ballot papers in P.E.I.

83. The deputy returning officer and the poll clerk, immediately after the completion of the counting of the votes, shall take and subscribe respectively the oaths in the forms X and Y, which shall remain attached to the poll book: after which the deputy returning officer shall make out a statement in triplicate, in the form Z, one copy to remain attached to the poll book, one copy to be retained by the deputy returning officer, and the third copy to be inclosed by him in a special envelope supplied for the purpose,—which envelope he shall seal and deposit in the ballot box. Oaths by deputy returning officer and poll clerk. Statement by deputy returning officer.

(2.) The deputy returning officer shall then deliver to each of the candidates, or to their agents or, in the absence of such candidates or agents, to the electors present representing the candidates, a certificate, in the form AA, of the number of votes given for each candidate, and of the number of rejected ballot papers; and he shall also forthwith after the close of the poll mail to each candidate, by registered letter, to the address stated in the ballot paper, a like certificate. Certificate to candidates or their representatives.

(3.) The poll book, the envelopes containing the ballot papers, the envelope containing the voters' list, and all other documents which served at the election shall then be placed in the large envelope supplied for the purpose, and this large envelope shall then be sealed and placed in the ballot box. Documents to be inclosed in ballot box.

(4.) The ballot box shall then be locked and sealed with the seal of the deputy returning officer, and shall be forthwith delivered by the deputy returning officer to the returning officer, or to the election clerk, who shall receive the same, or to one or more persons specially appointed for that purpose by the returning officer, and such person or persons shall, on delivering the ballot boxes to the returning officer, take the oath in the form BB. Ballot box to be sealed and delivered.

84. The returning officer, upon the receipt by him of each of the ballot boxes, shall take every precaution for its safe-keeping and for preventing any person other than himself and his election clerk from having access thereto, and shall immediately upon the receipt of each ballot box seal it under his own seal in such a way that it cannot be opened without the seal being broken, and this he shall do without effacing or covering the seals thereto affixed. Safe-keeping of ballot boxes.

85. The returning officer, at the place, day and hour appointed by his proclamation, and after having received all the ballot boxes, shall proceed to open them, in the presence of the election clerk, the candidates or their representatives, if present, or of at least two electors, if the candidates or their representatives are not present, and to add together the number of votes given for each candidate, from the statements contained in the several ballot boxes returned by the deputy returning officers of the ballot papers counted by them. Addition of votes by returning officer.

(2.) The candidate who, on the addition of the votes, is found to have a majority of votes, shall then be declared elected. Declaration thereupon.

86. Whenever, on the addition of votes by the returning officer, an equality of votes is found to exist between any two or more of the candidates, and an additional vote would entitle any of such candidates to be declared elected, the returning officer shall give such additional or casting vote. Casting vote of returning officer.

87. If the ballot boxes are not all returned on the day fixed for adding up the number of votes given to the several candidates, the returning officer shall adjourn the proceedings to a subsequent day,—such subsequent day not being more than a week later than the day originally fixed for the purpose of adding up the votes. Adjournment if ballot boxes are missing.

(2.) In case any deputy returning officer has not duly inclosed in the ballot box the statement of the ballot papers counted by him as required by this Act, or if, for any other cause, the returning officer cannot at the day and hour appointed by him for that purpose ascertain the exact number of votes given for each candidate, the returning officer may thereupon adjourn to a future day and hour the said adding up of the number of votes given for each candidate, and so from time to time,—such adjournment or adjournments not in the aggregate to exceed two weeks. Adjournment for other causes.

Provision in case of loss of ballot boxes.

88. If the ballot boxes or any of them have been destroyed or lost, or for any other reason are not forthcoming within the time fixed as in the first subsection of the next preceding section provided, the returning officer shall ascertain the cause of the disappearance of such ballot boxes, and shall call on each of the deputy returning officers whose ballot boxes are missing, or on any other person having them, for the lists, statements and certificates, or copies of the lists, statements and certificates, of the number of votes given to each candidate required by this Act, the whole verified on oath; and if such lists or statements, or any of them, or copies thereof, cannot be obtained, he shall ascertain, by such evidence as he is able to obtain, the total number of votes given to each candidate at the several polling places, and to that end may summon any such deputy returning officer, his poll clerk, or any other person, to appear before him at a day and hour to be named by him, and to bring all necessary papers and documents with him,—of which day and hour and of the intended proceedings the candidates shall have due notice; and the returning officer may then and there examine on oath such deputy returning officer or poll clerk, or any other person, respecting the matter in question.

Duty of returning officer if statement is not in ballot box.

(2.) In case of an adjournment by reason of any deputy returning officer not having placed in the ballot box a statement of the ballot papers counted by him, the returning officer shall in the meantime use all reasonable efforts to ascertain the exact number of votes given for each candidate in the polling division of such deputy returning officer, and to that end shall have the powers set out in the next preceding subsection.

Return of candidate appearing to have majority.

(3.) In any case arising under this section the returning officer shall return the candidate appearing to have the majority of votes, and shall mention specially in this report to be sent with the return the circumstances accompanying the disappearance of the ballot boxes, or the want of any statement as aforesaid, and the mode by which he ascertained the number of votes given to each candidate.

Not obeying summons, an indictable offence.

(4.) Any person refusing or neglecting to attend on the summons of a returning officer issued under this section shall be guilty of an indictable offence and liable to a penalty of two hundred dollars or to imprisonment for a term not exceeding two years, with or without hard labour, or to both.

Custody of ballot boxes after election.

89. After the close of the election the returning officer shall cause to be deposited in the custody of the sheriff or of the registrar of deeds in the county or registration division, or of the postmaster in the locality, in which the nomination was held, the ballot boxes used at the election; and the sheriff, registrar or postmaster shall, at the next ensuing election, deliver such ballot boxes to the returning officer named for such election.

Recount or Final Addition by Judge.

Provision for recount or final addition of votes by a judge.

90. If, within four days after that on which the returning officer has made the addition of the votes for the purpose of declaring the candidate or candidates elected, it is made to appear, on the affidavit of a credible witness, to the judge of the county court of the county or union of counties, or to the judge of the judicial district in which the electoral district or any part thereof is situated, or in the province of Quebec to a judge of the Superior Court ordinarily discharging his duties in the judicial district in which the electoral district or any part thereof is situated, that a deputy returning officer at an election in such electoral district in counting the votes—(1) has improperly counted, or (2) has improperly rejected any ballot papers at such election, or (3) has made an incorrect statement of the number of ballot papers cast for any candidate, or (4) that the returning officer has improperly added up the votes, and if the applicant deposits within the said time, with the clerk of the county or district court or with the prothonotary of the said Superior Court in the said judicial district, as the case may be, the sum of one hundred dollars, in legal tender or in the bills of any chartered bank doing business in Canada, as security for the costs, in connection with the recount or final addition, of the candidate appearing by the addition to be elected,—the said judge shall appoint a time, within four days after the receipt of the said affidavit by him, to recount the votes if the said application is made in relation to one of the first three grounds of application, or to make the final addition if the said application is made in relation to the last-mentioned ground of application, as the case may be.

Grounds for application.

Security for costs.

Time to be appointed.

Notice.

(2.) The judge shall give notice in writing to the candidates or their agents of the time and place at which he will proceed to recount the votes, or to make such final addition, as the case may be; and the judge may, at the time of the application or afterwards, direct that service of the notice upon the candidates or their agents may be substitutional, or may be made by mail or by posting, or in such other manner as he thinks fit.

Service of notice.

Order of judge to returning officer.

(3.) The judge shall summon and command the returning officer and his election clerk to attend then and there with the parcels containing the ballot papers used at such election, or the original statements of the deputy returning officers, as the case may be, with respect to or in consequence of which such recount or final addition is to take place,—which command the returning officer and his election clerk shall obey.

Who may be present at the recount or final addition.

(4.) At such recount of votes or final addition by the judge the returning officer and his election clerk shall be present, and each candidate shall be entitled to be represented by not more than three agents appointed to attend, and may himself be present if he desires; but in case any candidate is not represented, then any three electors may declare their desire to attend in his behalf and shall be entitled to attend; and except with the sanction of the judge, no other person shall be present at such recount or final addition.

Making final addition or opening packets of ballots and recounting the votes.

(5.) At the time and place appointed, and in the presence of the said persons, the judge shall proceed to make such final addition in the manner prescribed by section 85, or to recount all the votes or ballot papers returned by the several deputy returning officers, as the case may be, and shall, in the latter case, open the sealed packets containing—(1) the used ballot papers which have been counted, (2) the rejected ballot papers, (3) the spoiled ballot papers—and no other ballot papers.

(6.) The judge shall, as far as practicable, proceed continuously, except on Sunday, with the final addition or recount of the votes, allowing only time for refreshment, and excluding (except so far as he and the persons aforesaid agree) the hours between six o'clock in the afternoon and nine in the succeeding forenoon; and during such excluded time and recess for refreshments, the judge shall place the ballot papers and other documents relating to the election closed under his own seal and the seal of such other of the said persons as desire to affix their seals, and shall otherwise take precautions for the security of such papers and documents. Proceedings to be continuous. During excluded time documents to be under seal.

(7.) The judge shall in the case of a recount, proceed to recount the votes according to the rules set forth in section 81 and shall verify or correct the ballot paper account and statement of the number of votes given for each candidate; and upon the completion of such recount, or as soon as he has so ascertained the result of the poll, he shall seal up all the said ballot papers in separate packets. Mode of proceeding with the recount.

(8.) The judge shall also, if necessary or required, review the decision of the returning officer with respect to the number of votes given for a candidate at any polling place, where the ballot box used was not forthcoming when he made his decision, or when the proper certificates or papers were not found therein; and for the purpose of arriving at the facts, shall have all the powers of a returning officer with regard to the attendance and examination of witnesses. Powers of judge.

(9.) The judge shall forthwith certify the result of the recount or final addition to the returning officer, who shall then declare to be elected the candidate having the highest number of votes; and in case of an equality of votes, the returning officer shall give the casting vote. Casting vote in case of tie.

(10.) The returning officer, after the receipt of notice from the judge of the recount or final addition, shall delay making his return to the Clerk of the Crown in Chancery until he receives a certificate from the judge of the result of such recount or final addition; and upon receipt of such certificate the returning officer shall proceed to make his return. Return not to be made until judge's certificate is received.

(11.) If the recount or final addition does not so alter the result of the poll as to effect the return, the judge shall order the costs of the candidate appearing to be elected to be paid by the applicant, and the moneys deposited as security for costs shall be paid out to the said candidate on account thereof, so far as necessary; and the judge shall tax the costs on giving his decision; and if the deposit is insufficient, the party in whose favour costs are allowed shall have his action for the balance. As to costs and disposal of deposit.

(12.) In taxing the costs the judge shall, as nearly as may be, follow the tariff of costs to be allowed with respect to proceedings in the county court, or in the province of Quebec in the Superior Court. How costs shall be taxed.

91. In case of any omission, neglect or refusal of the judge to comply with the foregoing provisions of the next preceding section, or to proceed with the recount or final addition therein provided for, then any party aggrieved may, within eight days thereafter, make application— Failure of judge to act.

(*a.*) in the province of Ontario, to a judge of any division of the High Court of Justice;

(*b.*) in the province of Quebec, to a judge of the Court of Queen's Bench;

(*c.*) in the provinces of Nova Scotia, New Brunswick, Prince Edward Island and British Columbia, to a judge of the Supreme Court of the province; and

(*d.*) in the province of Manitoba, to a judge of the Court of Queen's Bench;

for an order commanding the judge to comply with such directions, and to proceed with and complete such recount or final addition. Remedy.

(2.) Such application may be made upon affidavit, which need not be entitled in any matter or cause, setting forth the facts relating to such omission, refusal or neglect; and the judge to whom the application is made shall, if it appears that there is such omission, refusal or neglect, make an order appointing a time, within eight days, and a place for the consideration of such application, and directing the attendance of all parties interested at such time and place, and giving such directions for the service of the order, and of the affidavit or affidavits upon which the order was granted, upon the judge so alleged to be in default, and upon the other parties interested, as he thinks proper, and if the circumstances appear to the judge to warrant it, may direct that service upon any of such parties may be substitutional, or may be made by mail, or by posting, or in such other manner as he thinks fit. Order of court for hearing. Notice to judge and others.

(3.) The judge complained of, or any of the parties interested, may file in the office of the clerk, registrar or prothonotary of the court, to a judge of which the application is made, affidavits in reply to those filed by the applicant, and upon demand shall furnish him with copies thereof. Affidavits may be filed.

(4.) At the time and place appointed by the judge or at any other time and place to which the hearing may be adjourned, after hearing the parties, or such of them as are present or their counsel, the judge, or some other judge of the same court, shall make such order as the facts of the case in the opinion of the judge warrant, either dismissing the application or commanding the judge in default to take such action as is necessary in order to a compliance with the directions of this section, and to proceed with and complete such recount or final addition as aforesaid, and may make such order as to costs as the judge thinks proper. Order of court after hearing.

(5.) A judge so found to be in default as aforesaid shall forthwith carry out the directions of any order so made, and there shall be the same remedies for the recovery of the costs awarded by such order as for that of the costs in ordinary cases in the same court. Judge to obey order. Costs.

Election Return.

92. The returning officer shall, immediately after the sixth day after the final addition by him under section 88, of the number of votes given for each candidate, unless before that time he receives notice that he is required to attend before a judge for the purposes of a recount or final addition by such judge of the votes given at the election, and, where there has been a recount or final addition by the judge, immediately thereafter, transmit his return to the Clerk of the Crown in Chancery that the candidate having the largest number of votes has been duly elected, and shall forward to each of the candidates a duplicate or copy thereof; and such return shall be in the form CC. Return of candidate elected. Form of return.

Report by returning officer.

(2.) The returning officer shall accompany his return to the Clerk of the Crown in Chancery with a report of his proceedings, in which report he shall make any observations he thinks proper as to the state of the ballot boxes or ballot papers as received by him.

Certain documents to be sent with return.

(3.) The returning officer shall also transmit to the Clerk of the Crown in Chancery the writ, with his return, the stamp furnished him for stamping the ballot papers and all the ballot papers, including those unused, the original statements of the several deputy returning officers, hereinbefore referred to, together with the list of voters and poll-books used in the several polling divisions, and all other lists and documents used or required at such election, or which have been transmitted to him by the deputy returning officers.

How sent.

(4.) Such return and report shall be sent through the post office, after being registered.

If return is irregular.

(5.) In the event of the returning officer making a return and report to the Clerk of the Crown in Chancery not complying with the provisions of this section or section 90, or making a return and report pending an application under section 91, the Clerk of the Crown in Chancery shall return the said report and return, together with all ballot papers, to the returning officer on presentation of an order signed by any judge who has jurisdiction under the latter section.

Liability of returning officer not returning candidate elected.

93. If any returning officer wilfully delays, neglects or refuses duly to return any person who ought to be returned to serve in the House of Commons for any electoral district, such person may, if it has been determined on the hearing of an election petition respecting the election for such electoral district that such person was entitled to have been returned, sue the returning officer who has so wilfully delayed, neglected or refused duly to make such return of his election, in any court of record in the province in which such electoral district is situate, and recover from him a sum of five hundred dollars, together with all damages he has sustained by reason thereof, and costs; provided that, notwithstanding anything in "The Criminal Code, 1892," such action is commenced within one year after the commission of the act on which it is grounded, or within six months after the conclusion of the trial of the petition relating to such election.

Proviso.

Notice of return in *Canada Gazette*.

94. The Clerk of the Crown in Chancery shall, on receiving the return of any member elected in the House of Commons, enter it in a book to be kept by him for such purposes in the order in which such return is received by him, and thereupon immediately give notice in the ordinary issue of "*The Canada Gazette*" of the name of the candidate so elected and in the order in which it was received.

Duty of Clerk of the Crown in Chancery as to retention of papers, etc.

95. The Clerk of the Crown in Chancery shall, subject to the provisions of subsection 5 of section 92 and of section 98, retain in his possession the papers transmitted to him by any returning officer, with the return, for at least one year, if the election is not contested during that time, and if the election is contested, then for one year after the termination of such contestation.

Secrecy of Voting.

Secrecy during poll.

96. Every candidate, officer, clerk and agent in attendance at a polling place shall maintain and aid in maintaining the secrecy of the voting at such polling place; and no such candidate, officer, clerk or agent shall, before the poll is closed, communicate to any person any information as to whether any person on the list of voters has or has not applied for a ballot paper or voted at that polling place.

Interfering with voter marking ballot paper.

(2.) No candidate, officer, clerk, agent or other person shall interfere with, or attempt to interfere with a voter when marking his ballot paper, or otherwise attempt to obtain at the polling place information as to the candidate for whom any voter at such polling place is about to vote or has voted.

Ballot paper not to be displayed.

(3.) No elector shall, except in the case provided for in section 75, show his ballot paper, when marked, to any person so as to allow the name of the candidate for whom he votes to be known.

Inducing voter to display ballot paper.

(4.) No person shall, directly or indirectly, induce or endeavour to induce any voter to show his ballot paper after he has marked it so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

Number on ballot paper not to be disclosed. Exception.

(5.) No candidate, officer, clerk, agent, or other person shall communicate at any time to any person any information as to the number on the back of the ballot paper given to any voter at a polling station, except to a court or judge lawfully requiring him so to do, or attempt to ascertain at the counting of votes the number on the back of any ballot paper.

Vote not to be disclosed.

(6.) No candidate, officer, clerk, agent or other person shall communicate at any time to any person any information obtained at a polling place as to the candidate for whom any voter at such polling place is about to vote or has voted.

Secrecy respecting counting of votes.

(7.) Every candidate, officer, clerk and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting; and no such candidate, officer, clerk or agent shall attempt to obtain at such counting any information or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper.

Penalty.

(8.) Every one who violates any of the provisions of this section shall be guilty of an indictable offence and liable to a penalty not exceeding two hundred dollars, and to imprisonment for any term not exceeding six months, with or without hard labour, in default of payment of such penalty.

Secrecy of vote protected.

97. No person who has voted at an election shall, in any legal proceeding questioning the election or return, be required to state for whom he voted.

Inspection of ballot papers in custody of Clerk of the Crown in Chancery.

98. Except as provided by subsection 5 of section 92 of this Act, no person shall be allowed to inspect any ballot paper in the custody of the Clerk of the Crown in Chancery, except under the rule or order of a superior court or a judge thereof,—which rule or order may be granted by such court or judge on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or

maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition which has been filed questioning an election or return; and any such rule or order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place and mode of inspection or production as the court or judge thinks expedient, and shall be obeyed by the Clerk of the Crown in Chancery.

Keeping the Peace and Good Order at Elections.

Returning officers and their deputies to be conservators of the peace.

99. Each returning officer and each deputy returning officer from the time he takes the oath of office until the day after the closing of the election shall be a conservator of the peace, invested with all the powers appertaining to a justice of the peace.

May command assistance, etc. Special constables.

100. Every returning officer or deputy returning officer may require the assistance of justices of the peace, constables or other persons present, to aid him in maintaining peace and good order at such election; and may also, on a requisition made in writing by any candidate, or by his agent, or by any two electors, swear in such special constables as he deems necessary.

May arrest disturbers.

101. Every returning officer or deputy returning officer may arrest or cause by verbal order to be arrested, and place in the custody of any constables or other persons, any person disturbing the peace and good order at the election, and may cause such person to be imprisoned under an order signed by him until an hour not later than the close of the poll.

May demand offensive weapons.

102. The returning officer or deputy returning officer may, during the nomination day and polling day at any election, require any person within half a mile of the place of nomination or of the polling station to deliver to him any firearm, sword, stave, bludgeon or other offensive weapon in the hands or personal possession of such person; and every person who refuses to deliver such weapon shall be liable to a penalty not exceeding one hundred dollars, and, in default of payment of such penalty, to imprisonment for a term not exceeding three months.

Strangers not to enter polling districts armed.

103. Except the returning officer, the deputy returning officer, the poll clerk and the constables and special constables appointed by the returning officer or the deputy returning officer for the orderly conduct of the election or poll and the preservation of the public peace thereat, no person, who has not had a stated residence in the polling division for at least six months next before the day of such election, shall come during any part of the day upon which the poll is to remain open into such polling division armed with offensive weapons of any kind, such as firearms, swords, staves, bludgeons or the like; and no person being in such polling division shall arm himself, during any part of the day, with any such offensive weapon, and thus armed approach within the distance of one mile of the place where the poll of such polling division is held, unless called upon so to do by lawful authority.

Flags, etc., not to be furnished or carried.

104. No person shall furnish or supply any ensign, standard or set of colours, or any other flag, to or for any person with intent that it shall be carried or used in such electoral district on the day of election, or within eight days before such day, or during the continuance of such election or the polling, by any person, as a party flag to distinguish the bearer thereof and those who follow it as the supporters of any candidate, or of the political or other opinions entertained, or supposed to be entertained, by such candidate; and no person shall, for any reason, carry or use any such ensign, standard, set of colours or other flag, as a party flag, within such electoral district on the day of any such election or polling or within eight days before such day, or during the continuance of such election.

Ribbons or favours not to be furnished or worn.

105. No person shall furnish or supply any ribbon, label or like favour, to or for any person with intent that it be worn or used, within such electoral district on the day of election or polling, or within eight days before such day, or during the continuance of such election, by any person, as a party badge to distinguish the wearer as the supporter of any candidate, or of the political or other opinions entertained, or supposed to be entertained, by such candidate; and no person shall use or wear any ribbon, label, or other favour, as such badge, within such electoral district, on the day of any such election or polling, or within eight days before such day, during the continuance of such election.

Punishment for contravention.

106. Every one who offends against any of the provisions of the three sections next preceding is guilty of an indictable offence and liable, on summary conviction, to a penalty not exceeding one hundred dollars, or to imprisonment for a term not exceeding three months, or to both, in the discretion of the court.

No intoxicating liquors to be sold on polling day. Penalty.

107. No spirituous or fermented liquors or strong drinks shall be sold or given at any hotel, tavern, shop or other place within the limits of any polling division, during the whole of the polling day at an election; and every one who violates the provisions of this section shall be liable, on summary conviction, for each offence, to a penalty of one hundred dollars, and to imprisonment for a term not exceeding six months in default of payment of such penalty.

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Election Expenses.

No payment to be made except through authorized agent.

143. No payment (except with respect to the personal expenses of a candidate), and no advance, loan or deposit, shall be made by or on behalf of any candidate at any election, before or during or after such election, on account of such election, otherwise than through an agent or agents whose name or names and address or addresses have been declared in writing to the returning officer on or before the nomination day, or through an agent or agents to be appointed in his or their place, as herein provided: and any person who makes any such payment, advance, loan or deposit otherwise than through such agent or agents is guilty of an indictable offence.

Names of agents to be published.

(2.) The returning officer shall publish, on or before the nomination day, the name and address or the names and addresses of the agent or agents appointed in pursuance of this section.

If agent cannot act.

(3.) In the event of the death or legal incapacity of any agent appointed in pursuance of this section, the candidate shall forthwith appoint another agent in his place, giving notice to the returning officer of the name and address of the person so appointed, which shall be forthwith published by the returning officer as hereinbefore provided.

Bills and claims to be sent in within one month, or right to be barred.

144. All persons who have any bills, charges or claims upon any candidate for or in relation to any election, shall send in such bills, charges or claims within one month after the day of the declaration of the election, to such agent or agents as aforesaid; otherwise such persons shall be barred of their right to recover such claims or any part thereof.

Case of death of claimant.

(2.) In the event of the death, within the said month, of any person claiming the amount of any such bill, charge or claim, the legal representative of such person shall send in such bill, charge or claim within one month after his obtaining probate or letters of administration, or of his becoming otherwise able to act as such legal representative, otherwise the right to recover such claim shall be barred as aforesaid.

If there is no agent.

(3.) Such bills, charges and claims may be sent in to the candidate, if and so long as during the said month, owing to death or legal incapacity, there is no such agent.

Candidate to authorise payment.

(4.) No such bill, charge or claim shall be paid without the authority of the candidate, as well as the approval of the agent.

Payment of lawful claims sent in after one month.

145. Notwithstanding anything in the next preceding section, a claim for lawful election expenses which would have been payable if sent in within the time limited by that section, may be paid by the candidate through his election agent after that time if it is approved by a judge competent to recount or make a final addition of the votes at the election, and the judge makes an order for the payment thereof.

Notice.

(2.) All sums so allowed by the judge shall, within one week thereafter, be advertised in the same papers as the statement of the other election expenses.

Statement of expenses to be made out by agent.

146. A detailed statement of all election expenses incurred by or on behalf of any candidate, including such excepted payments as aforesaid, shall, within two months after the election (or whenever by reason of the death of the creditor no bill has been sent in within such period of two months, then within one month after such bill has been sent in), be made out and signed by the agent, or if there is more than one, by every agent who has paid such expenses (including the candidate in cases of payments made by him), and delivered with the bills and vouchers relative thereto to the returning officer.

To be published by returning officer.

(2.) The returning officer for the time being shall, at the expense of the candidate, within fourteen days after receiving such statement, insert or cause to be inserted an abstract thereof, with the signature of the agent thereto, in some newspaper published or circulating in the electoral district where the election was held.

Penalty for default.

(3.) Any agent or candidate who makes default in delivering to the returning officer the statements required by this section shall incur a penalty not exceeding twenty dollars for every day during which he so makes default.

Penalty for false statement.

(4.) Any agent or candidate who wilfully furnishes to the returning officer any untrue statement is guilty of an indictable offence.

Bills, &c., to be preserved.

(5.) The returning officer shall preserve all such bills and vouchers, and during the six months next after they have been delivered to him shall permit any voter to inspect them on payment of a fee of twenty cents.

Fees and Expenses of Returning Officers and Others.

Fees for services and disbursements.

147. The fees and expenses in schedule two to this Act mentioned, and no others, shall be allowed to the several officers therein mentioned, respectively, for their services and disbursements at any election.

Governor in Council may make new tariff and revise and amend it.

(2.) Nevertheless, if it appears to the Governor in Council that the provisions made in this section are inadequate or insufficient for the purposes for which they are intended (that is, a fair and just but economical remuneration for the services performed), the Governor in Council may make a tariff of fees, costs and expenses to be paid and allowed to returning officers and other persons employed at or with respect to elections under this Act, and may, from time to time, revise and amend such tariff, which shall then be substituted for that above mentioned, as respects any election held after the making or the revising or amending thereof; but a copy of any such tariff and of any amendment thereof shall be laid before the House of Commons within the first fifteen days of the then next session of Parliament.

Payment of fees, &c.

148. Such fees, allowances and disbursements shall be paid to the returning officer, by warrant of the Governor-General, and shall be distributed by such returning officer to the several officers and persons entitled thereto under the provisions of this Act,—which distribution he shall report to the Governor-General through the Secretary of State; and the returning officer shall certify the correctness of the accounts of his deputy returning officers.

Fees, &c., may be increased by Governor in Council.

149. Whenever it appears to the Governor in Council that the fees and allowances above provided for are not sufficient remuneration for the services required to be performed at any election, the Governor in Council may authorize the payment of such additional sum of money for such services as is considered just and reasonable.

General Provisions.

Mode of giving notices.

150. When a returning officer or a deputy returning officer is by this Act required or authorized to give a public notice, and no special mode of giving it is mentioned, he may give it by advertisement, placards, handbills or such other means as he thinks best calculated to give the information to the electors.

Transmission of information respecting elections by telegraph, in certain places and seasons in Quebec.

151. Whenever it appears to the satisfaction of the Governor in Council, at the time when an election of a member to represent either of the electoral districts of Gaspé or of Chicoutimi and Saguenay in the House of Commons is about to be held, that communication by water between the Magdalen Islands and the mainland in the electoral district of Gaspé, and by water or by land between the polling divisions to the east of Bersimis, in the electoral district of Chicoutimi and Saguenay, or between such polling divisions and the place of nomination, will probably be interrupted during such election by the severity of the season, he may direct that all necessary instructions and information relating to such election may be transmitted by telegraph by the returning officer to the deputy returning officer or officers, and by him or them to the returning officer, so that the returning officer may be informed of the number of votes given for each candidate, and of all other matters relating to the election, and be enabled to return the candidate having the majority or to make such other return as the case requires; and the Governor in Council may make such order as to the details of the proceedings at or relating to such election to be so transmitted by telegraphic communication as to him seems proper for the best attaining the purpose of this enactment.

Mistakes of form only not to void elections.

152. No election shall be declared invalid by reason of non-compliance with the provisions of this Act as to the taking of the poll or the counting of the votes, or by reason of any want of qualification in the persons signing a nomination paper received by the returning officer, under the provisions of this Act, or of any mistake in the use of the forms contained in schedule one to this Act, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in this Act, and that such non-compliance or mistake did not affect the result of the election.

As to limits of time mentioned in this Act.

153. No election shall be declared invalid by reason of non-compliance with the provisions of this Act as to limitations of time, unless it appears to the tribunal that such non-compliance may have affected the result of the election.

Administration of oaths.

154. Any affidavit required to be made for any of the purposes of this Act may be sworn before any commissioner for taking affidavits in any superior court of any province; and any person before whom it is hereby required or intimated by any form in schedule one to this Act, that any oath is to be taken or any affirmation made in the manner herein provided, shall have power to administer it, and shall administer it gratuitously; and the returning officer at any election shall have power to administer any oath or affirmation required by this Act with respect to such election; and the deputy returning officer or poll clerk may administer such oath or affirmation, except such as is required to be administered to the returning officer.

REPEAL.

Repeal.

155. The Acts mentioned in schedule three to this Act are repealed to the extent mentioned in the said schedule, and the provisions of this Act are substituted for the provisions of the Acts so repealed.

QUEBEC.

INSTRUCTIONS TO THE RETURNING OFFICER FOR THE ELECTORAL DISTRICT OF

Office of the Clerk of the Crown in Chancery.

Quebec, 19 .

To

Returning Officer.

SIR,

I have the honour to forward, herewith, the Election Writ for the Electoral District of for which you are Returning Officer.

1. On receiving the writ you must endorse it by writing thereon your signature and the date when you received it, and you must be sworn before acting as returning officer.

You must appoint an election clerk under article 84 of the Quebec Election Act, 1903.

2. The form of your oath, as well as that of your election clerk, is on the back of the election writ.

3. You must post up the Proclamation fixing the date when the nomination of candidates shall take place, so that it may be posted up at least eight days before the nomination of candidates, in conformity with articles 91, 92 and 93 of the Election Act, not counting the day of the posting or that for the nomination of candidates. Such posting to be made only in one place, the most frequented and conspicuous in the electoral district for which the election is held. (Art. 93.)

4. It is then the proper time for you to ascertain into how many voting subdivisions the municipalities of your electoral district are divided, and to have such subdivisions established, if they do not exist, or to establish them yourself if there are more of them than the law authorizes. By so doing, you will avoid expense and more particularly vexatious delays, when, after the nomination of candidates, it will be your duty to post up the notice of the opening of the polling. (Arts. 67 and 112.)

You must at once procure the lists of electors in virtue of article 89.

N.B.—All the articles mentioned in the instructions refer to the articles of The Quebec Election Act, 1903.

5. You will carefully see that all provisions of the law respecting the nomination of candidates are faithfully carried out by you, as an error may result in the most serious consequences. You will observe that the oath of attestation of the nomination paper and that of the candidates' consent are annexed to the nomination paper.

6. It is your duty to transmit to me a detailed return of your operations, indicating in it the reasons which have induced you to reject any nomination for non-compliance with the requirements of the law. (See Art. 107.)

7. If it is necessary to hold a poll, you will post up a notice according to form K, in the place where the proclamation announcing the election was posted up, and you will proceed according to article 112 of the Election Act.

8. The notice for the opening of the polling must contain, in addition to the names of the candidates, in the order in which they are to be printed on the ballot-paper, the designation of the voting subdivisions and of the polls. (See Art. 112.)

The law specifies no delay for the posting up of the notice for the opening of the polling, but the very short time which remains between the nomination and the voting, sufficiently indicates that it must be done as soon as possible.

9. Immediately after the nomination of the candidates you must at once get the requisite number of ballot-papers printed in the exact form shown in the model which you will see in form R of the Election Act.

You will insist upon the printer cutting off the left margin, so that no blank may remain next to the perpendicular line which reads as follows:—"Election for the Electoral District of 19 ."

The counterfoils of all your ballot-papers must be perforated so that your deputy returning officer may detach them with greater facility.

10. The distribution of the ballot-boxes to the deputy returning officers is made at the same time as their commissions and instructions are given to them, and when you receive their oaths of office; this is also the proper time to hand them the Election Act, the instructions to electors which they must post up according to law (Article 112), the statements of the ballot, lists, &c., &c. You will observe that the forms of oaths for the deputy returning officers and their poll-clerks are on the first pages of each poll-book.

You are authorized to procure ballot-boxes if the number of those you have be not sufficient.

11. As it is you who lease the poll-houses, you must provide that they have two doors, one for ingress and the other for egress, according to law, with one or two compartments where the elector may make his cross without being seen by any person.

12. As for the closing of the election, the law clearly prescribes your duties and your attributions in articles 160 and following.

13. You must acknowledge the receipt of all documents which I transmit to you, as soon as you receive them.

14. Article 173 of the Election Act mentions certain documents which you are to forward to me, and speaks in general terms of others; you are thereby to understand that you must send me everything which may be in the ballot-boxes and all the documents which you are yourself obliged to annex to the election Writ; they are:

1. Your Oath of Office;
2. That of your Election Clerk;
3. His Commission;
4. The Certificate of these Oaths;
5. *Procès Verbal* of your Election Proceedings;
6. The Proclamation;
7. Notice of the Polling;
8. Candidates' Nomination Papers;
9. Lists of Electors;
10. Oath of Attestation;
11. Appointments of Agents;
12. Protests.

15. You will annex to the Writ the blanks of the recapitulation of the votes given, which you will carefully make, both upon the statements of your Deputies, and on the electoral lists.

16. Immediately after the six days following the final counting of the votes, if you have not received notice of a recount or final addition of the votes by a judge, you must transmit a full return of the election. (See Article 173.)

17. If a recount or final addition of the votes is asked for within the six days after the final counting of the votes, you must defer sending your return to the Clerk of the Crown in Chancery until you receive, from the judge, a certificate of the result of such recount or final addition (Art. 173).

18. Your return must be registered in the Post Office, and paid for *strictly* in advance. Your expenses for such purpose, as well as for telegraphing to me, and your postage will be refunded to you with the amount of your election account in which you will charge them.

19. The papers which you address to me should not be rolled but carefully folded, so that they may be covered by the poll-book, which should be folded in three for that purpose, placing on the face thereof the number of the poll.* You will receive labels to place on the packets of documents which you have to send to me by express or by post.

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* The Returning Officer of each electoral district will receive a certain quantity of red tape, a portion of which he will hand to each deputy returning officer to be used for tying the poll-book after it has been folded in three to cover the documents made use of during the election.

Your election accounts must be sent to the Provincial Auditor.

If it become necessary to send the documents by post, each packet should be covered with strong paper, and should not weigh more than Five pounds, being the maximum weight allowed by "The Post Office Act."

20. I recommend you to carefully fill up the blank of the recapitulation of the votes after having carefully examined the documents in each ballot-box.

I have the honour to be,
Sir,
Your obedient servant,
THE CLERK OF THE CROWN IN CHANCERY.

INSTRUCTIONS TO DEPUTY RETURNING OFFICERS.

Ballot-Papers.

Ballot-papers will be supplied you, and you will take care of them under your oath of office.

Directions to be posted up.

Before opening the poll you are to post up, in some conspicuous place outside and in each inside compartment, copies of the printed directions for the guidance of voters in voting.

Commission, oaths, certificates, etc.

Your commission, that of your poll-clerk, your oaths, taken before the opening and after the closing of the voting, the certificates of such oaths made in accordance with the forms required by law, are to be deposited in the ballot-box at the close of the voting, together with the ballot-papers and the poll-book. (See Article 164 of the Election Act.)

General Duties of a Deputy Returning-Officer.

Before the voting you are to study carefully that portion of the Act which refers to you and particularly from article 112 to article 164, inclusively.

Access to the poll.

During the voting you are not, under any pretext whatsoever, to admit any one into the polling booth except the candidates or two agents or representatives on behalf of each of them and the electors—one at a time—to deposit their ballots. The law expressly forbids this and gives you the necessary authority to enforce obedience. (See Art. 132.)

Examination of the Ballot-box.

Before commencing the voting, let the candidates' representatives see that the ballot-box is empty and that it contains no paper whatsoever. (See Art. 140.)

Oaths of Agents.

You must administer the oath (form S of the Election Act) to one of the agents of each candidate or to one of the electors representing each candidate who is to help you in rendering the assistance which you may be called upon to give to the voters who cannot mark their cross themselves. If one or both of them are replaced by others, you are likewise to administer the same oath to such others. (See Art. 137.)

You will find this form of oath printed in the poll-book.

Facility of voting.

The law compels you to facilitate the admission of each elector into the poll. (See Art. 141.)

You must not allow more than one elector at a time to enter the poll. (See Art. 142.)

Entry of the names.

The names of the voters are entered in the poll-book under the numbers 1, 2, 3, 4 and so on to the end, and not according to the numbers of the electoral list on which the names are inscribed.

Manner of making entries in Poll-books.

Be careful that your poll-clerk, in keeping his poll-book, complies with the provisions of article 155.

Ballot-Papers.

The law does not allow voters to put any mark on the ballot-papers, other than that of a cross, as provided by article 149 of the Election Act. You are to call their attention to this on handing them their ballot-papers. (See Art. 149.)

Pencils.

Article 149 obliges you to place a pencil at the disposal of the voters.

Your Initials.

The law obliges you to initial each ballot-paper and each counterfoil on the back: you are not, on any pretext, to initial them beforehand, but only at the moment when the name of the voter is entered in the poll-book under its proper consecutive number. (See Art 147.)

If through forgetfulness or oversight you have not affixed your initials on the ballot-papers or on some of them, you are allowed by article 161 of the Election Act to repair this omission after having previously taken the oath before the poll-clerk.

Annex.

You are to remove the counterfoil from the ballot-paper when it is handed to you by the voter, and destroy it after having ascertained that your initials are on the back of the ballot-paper and on the back of the counterfoil. (See Art. 149.)

Aid given to Voter.

When a voter calls upon you to assist him in preparing his ballot-paper, be careful always to get the sworn representatives of the candidates to accompany you and no others.

You must enter in the poll-book, opposite the name of the voter, the reason why each ballot has been marked by you. (See Art. 152.)

Vote of Election Officers.

Article 139 shows how election officers are to vote.

Close of the Poll.

In counting the votes at the close of the poll, you will proceed in conformity with articles 160, 161, 162, 163 and 164. You are to reject:

1. All ballot-papers which you have not supplied;
2. All those by which more than one vote has been given;
3. All those upon which there is any writing or mark by which the voter could be identified;
4. All those left in blank or null as uncertain;
5. All other ballot-papers which may have been presented to you and which do not bear your initials, saving the case of article 161.

After the ballot-papers have been counted, put them into separate envelopes or *square* parcels (do not roll them), on the envelope of which you will write the number and in favor of which candidate they have been marked. You are to do the same with rejected ballot-papers, those that have been spoiled and those unused. (See Arts. 183 and 184.)

Objections to Ballot-Papers.

If important objections are raised and argued in the case of any ballot-papers, you are to adhere to the letter of the law in article 162.

Statement of Ballot-Papers.

You are strictly obliged to make, on a separate sheet of paper, a statement, in triplicate, according to form Z and article 164.

The form of this statement is at length at the end of the poll-book.

Forms of Oaths.

Before closing the ballot-box, read over article 164 which requires you and your poll-clerk to take oath. The forms of these oaths are entered in the poll-book under the letters X and Y.

Ballot-Box.

The ballot-box must be locked and sealed in presence of the agents of the candidates. I do not specify any particular method of sealing the box: any means which you may adopt to close the opening thereof and prevent a key being introduced into the lock or padlock will be sufficient, provided it be done in such a manner as not to permit of the obstacle being removed without its being easy to establish such removal.

The ballot-box must be returned to the returning officer or his clerk or to a person specially appointed by the returning officer to collect them. (See Art. 164.)

I have the honour to be,
Sir,
Your obedient servant,
THE CLERK OF THE CROWN IN CHANCERY.

3 EDWARD VII.

CHAP. 9.

AN ACT respecting the election of members of the Legislative Assembly of Quebec.

[Assented to 25th April, 1903.]

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His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

SECTION I.

Preliminary Provisions.

1. This Act may be cited as "The Quebec Election Act, 1903." 59 V., (Q.), c. 9, s. 1. Name of Act.

* * * * * * * * * *

§ 7.—*Voting Subdivisions.*

63. Whenever the number of electors shall exceed two hundred in any municipality, the council of such municipality shall, before the first of December, in each year, by a by-law made in the ordinary way, divide the municipality into as many voting subdivisions, as there are two hundred electors, by adding one voting subdivision for each fraction over such number; provided always that each district shall not exceed in extent eight miles in length and eight miles in width. Division by the Council into voting sub-divisions.

The voting subdivisions shall as much as possible contain an equal number of electors. To contain equal number of names.

The limits of these subdivisions shall be well defined, and shall not divide any immovable property under which an elector is entitled to vote. Limits how defined.

In municipalities divided into wards the polling subdivisions shall be divided by wards. Id., s. 63. Division of wards.

64. If, after the preparation of the list of electors, any of the voting subdivisions do not contain the number of electors required under the provisions of article 63, it shall be the duty of the council, within the three months following the preparation of the list, to redivide by by-law the municipality into new voting subdivisions. Id., s. 64. New divisions.

65. For the greater convenience of the electors, the council may always, and at any time, amend or repeal any by-law made under articles 63 and 64, and may make a new division as provided by article 63. Id., s. 65. By-law for such purpose may be amended.

No appeal.

66. No by-law, made under articles 63, 64 or 65, is liable to be appealed to the county council. Id., s. 66.

Division by returning officer in certain cases.

67. If, when the returning officer receives the writ ordering an election in an electoral district, there is in such district any municipality which the council has not divided into voting subdivisions, or has divided into a greater number of voting subdivisions than that mentioned in the preceding provisions, the returning officer shall himself divide the municipality into voting subdivisions in accordance with article 63.

Amending, &c., of such division.

The division so made by the returning officer may be amended or repealed in the same manner as the division made by the council itself.

Old voting sub-divisions.

68. Every municipal by-law dividing a municipality into voting subdivisions or other analogous subdivisions, in force upon the passing of this Act, shall so remain until the same is replaced or repealed under the authority of the above articles. Id., s. 67.

SECTION III.

Holding of Elections.

§ 1.—*Writs of Election.*

Date and return of writ.

69. (1.) Every writ for an election is dated and is returnable on such days as the Lieutenant-Governor in Council determines, saving the case provided for by article 171.

Address.

(2.) It is addressed and forwarded by the Clerk of the Crown in Chancery to one of the persons who may act *ex-officio* as returning officer for the electoral district, or, in default of such person, to a person, competent to discharge such office, appointed by the Lieutenant-Governor in Council under paragraph 4 of article 73.

Transmission.

(3.) It shall be transmitted to such person by mail, or given to him in person, unless otherwise ordered by the Lieutenant-Governor in Council.

Form;

(4.) It shall be in the form C.

63-64 V., (C.), c. 12, s. 10; 59 V., (Q.), c. 9, ss. 74, 77, 78.

New writs in certain cases.

70. In the event of the destruction or loss of any writ of election, before the same has been received by the returning officer, or, in the event of the latter dying before receiving such writ, or, in the event of any other occurrence rendering it impossible to hold the election on the day mentioned in the writ, a new writ may be issued in which the day of nomination and that of the return may be changed, as circumstances require. 59 V., (Q.), c. 9, s. 73.

Issue of writs at general elections.

71. At the general elections, all writs of election shall be issued upon the same day, and shall bear the same date of issue. Id., s. 75.

Notice to registrar.

72. A notice of the issue of the writ, specifying the name of the returning officer, shall be at the same time addressed and transmitted to every registrar of the electoral district who is not to be a returning officer. Id., s. 79.

§ 2.—*Election of officers and proceedings upon receipt of the writ of election.*

Returning officer *ex-officio*:

73. (1.) The following persons may act *ex-officio* as returning officers:

Registrar.

(*a.*) The registrar, for each electoral district wholly or in part comprised in the registration division of which he is the officer;

Sheriff, &c.

(*b.*) The sheriff or the prothonotary, for each electoral district wholly or in part comprised in the judicial district for which he is appointed.

If several persons fill office of sheriff, &c.

(2.) If two or more persons have been appointed to fill the same office of sheriff or registrar, each of such persons may act *ex-officio* as returning officer.

If two registry offices in same district.

If, within an electoral district, there are two or more registry offices and a registrar for each of these offices, each such registrar may act *ex-officio* as returning officer in that electoral district.

Who of several shall act.

(3.) In all cases the person to whom the writ of election has been addressed and transmitted, shall act alone as returning officer at such election, even if he holds, jointly with one or more other persons, the office entitling him to act *ex-officio*.

Returning officer appointed.

(4.) If there is no person in the electoral district authorized to act *ex-officio* as returning officer, or if those authorized to act in such capacity are prevented from so acting, or refuse to fill such office, the Lieutenant-Governor in Council may appoint a competent person to perform the duties of returning officer. Id., s. 80.

Who shall not be election officers:

74. The following persons shall not be appointed returning officers, deputy returning officers, election clerks or polling clerks:

Persons mentioned in articles 13 and 14;

(1.) The persons mentioned in articles 13 and 14, saving sheriffs and registrars, and clerks of the Crown when they are at the same time prothonotaries, and their deputies;

Persons who were members of Legislative Assembly, &c.;

(2.) Persons who were members of the Legislative Assembly or Legislative Council, in the session immediately preceding the election, or in the session then being held, if the election take place during a session of the Legislature, unless such person holds at the time of the issue of the writ of election one of the offices mentioned in paragraphs 1 and 2 of article 73;

Ministers, &c.;

(3.) Ministers, priests and ecclesiastics of any religious creed or denomination;

Persons guilty:

(4.) Persons who have been found guilty:

Of certain offences;

(*a*.) Of any offence punishable by imprisonment for more than two years; or

Of any corrupt practice.

(*b*.) Of any corrupt practice whatever, in contravention of the law respecting elections, whether of the Dominion of Canada or of the Province of Quebec. Id., s. 81.

Candidate cannot be election officer.

75. No person, who has been nominated as a candidate at an election, shall be afterwards appointed an election officer for such election. Id., s. 223.

Penalty.

76. No person, who is, by articles 74 and 75, declared to be ineligible to act as returning officer, election clerk, deputy returning officer or poll clerk, shall, in any case, act in any such capacity, under a penalty of one hundred dollars, and an imprisonment for three months in default of payment. Id., s. 224.

Who shall not be bound to act as such.

77. None of the following persons, unless they are sheriffs, prothonotaries or registrars, shall be obliged to act in the capacity of returning officer, election clerk, deputy returning officer or poll clerk:

1. The professors of any university, college, seminary, lyceum or academy;
2. Physicians, surgeons or dentists;
3. Millers;
4. Postmasters, custom-house officers or employees in the post-offices or custom-houses;
5. Persons aged sixty years or over;
6. Persons who have already served as returning officers in the preceding election. Id., s. 225.

Domicile of certain election officers.

78. No person shall be bound to act as deputy returning officer or poll clerk unless he is domiciled in the municipality within which he is to act. 63-64 V. (C.), c. 12, s. 13; 59 V., (Q.), c. 9, s. 226.

Candidates exempt.

79. Any person, even the sheriff, prothonotary or registrar, who intends to come forward as a candidate at an election, shall be exempt from acting as returning officer, election clerk, deputy returning officer or poll clerk, at such election. 59 V., (Q.), c. 9, s. 227.

Demand of exemption.

80. Whoever is entitled to claim the exemption granted under articles 77, 78 and 79, shall claim such exemption within the two days after receipt of the writ of election or commission, as the case may be, by a letter setting forth the reasons for his claim, addressed to the officer who has given the commission, or transmitted the writ of election.

Default, &c., so to do.

In default of so doing, he shall be debarred from claiming such exemption, and be subject to the penalties prescribed for his refusal to accept. Id., s. 228.

Persons bound to accept.

81. Any person, being competent to discharge the office of returning officer, election clerk, deputy returning officer or poll clerk, shall, unless he is exempt and has claimed exemption within the prescribed delays, be obliged to accept such office, under a penalty of two hundred dollars, and of imprisonment for six months in default of payment. Id., s. 229.

Penalty for refusal or neglect.

82. Any returning officer, election clerk, deputy returning officer or poll clerk, who refuses or neglects to perform any of the obligations or formalities required of him by this act, shall, for each such refusal or neglect, be liable to a fine not exceeding five hundred dollars, in addition to the amount of all actual damages thereby occasioned to such person. 63-64 V., (C.), c. 12, ss. 19, 20; 59 V., (Q.), c. 9, s. 230.

Endorsation of writ and oath to be taken by returning officer before acting.

83. The returning officer shall, on receiving the writ of election, forthwith endorse thereon the date on which he receives it, and, before taking any further action thereon, he shall take the oath of office in the form D, before a justice of the peace. 63-64 V., (C.), c. 12, s. 15; 59 V., (Q.), c. 9, ss. 82, 83.

Appointment of election clerk.

84. The returning officer, by a commission under his hand, in the form E, shall appoint an election clerk, and may, at any time during the election, appoint, in the same manner, another election clerk, if the one first appointed resigns, or refuses or is unable to perform his duties as such clerk. 63-64 V., (C.), c. 12, s. 16; 59 V., (Q.), c. 9, ss. 85, 87.

Oath of election clerk.

85. The election clerk shall, before acting as such, take the oath of office in the form F. 63-64 V., (C.), c. 12, s. 17; 59 V., (Q.), c. 9, s. 86.

Duties of election clerk. When to act in lieu of returning officer.

86. The election clerk shall assist the returning officer in the performance of his duties, and act in his stead as returning officer whenever the returning officer refuses or is disqualified or unable to perform his duties by reason of absence or otherwise, and has not been replaced by another. 63-64 V., (C.), c. 12, s. 18.

If new officer appointed.

In the case of the change of a returning officer, the election clerk continues in office, unless he is replaced by another in the discretion of the new returning officer, in the manner above prescribed. 59 V., (Q.), c. 9, s. 88.

Copies of Act and instructions to be sent to returning officer.

87. Immediately after the issue of the writ of election, the Clerk of the Crown in Chancery shall transmit to the returning officer a copy of this Act and of such instructions approved by the Lieutenant-Governor in Council as are required to carry out the election according to the provisions of this Act (with a copious alphabetical index), for the returning officer himself, one copy for the election clerk, and one for each of the deputy returning officers; and also, for each deputy returning officer, a blank poll book and all the blank forms necessary for the purposes of such election, except forms G, K, and R, which the returning officer shall himself cause to be printed. He shall also transmit copies of the list of electors for such persons as shall become candidates. 63-64 V., (C.), c. 12, s. 21; 59 V., (Q.), c. 9, s. 331.

Registrar to transmit list to returning officer.

88. Unless he is a returning officer, every registrar shall, under a penalty not exceeding two hundred dollars, and imprisonment not exceeding six months in default of payment, transmit, without delay, upon receipt of the notice given under article 72, to the returning officer, a copy certified by him of each of the lists of electors in force for the electoral district, which have been deposited in his office.

Fee of registrar.

The registrar shall be entitled to a fee of three cents for every ten electors entered upon any copy so transmitted, which shall form part of the general expenses of election. 59 V., (Q.), c. 9, s. 84.

Returning officer to obtain lists of electors, &c.

89. Forthwith after the receipt of the writ of election, the returning officer shall obtain from the officers who are the legal custodians thereof or of duly certified duplicates or copies thereof, such certified copies of by-laws defining the several polling divisions situate within the territory comprised in the electoral district for which such election is to be held as are necessary, or as he deems necessary, to the performance of his duties as returning officer, and such lists of electors or certified copies thereof or extracts therefrom, as he requires; and every such officer who omits or refuses to furnish, within a reasonable time, any such list of electors, copy thereof, or extract therefrom, or any such copy of a by-law, demanded by the returning officer shall incur a penalty not exceeding two hundred dollars and an imprisonment not exceeding six months in default of payment. 63-64 V., (C.), c. 12, s. 22; 59 V., (Q.), c. 9, s. 124.

Penalty for not furnishing them.

Not to decide upon their validity.

90. The returning officer shall, in no case, have the right to decide upon the validity or sufficiency of the list of electors. 59 V., (Q.), c. 9, s. 125.

§ 3.—*Proclamation by the Returning Officer.*

Proclamation by returning officer and what to contain.

91. (1.) Within the shortest possible time after the reception of the writ in the electoral districts of Gaspé and Chicoutimi and Saguenay, and within four days after its reception in the other electoral districts, the returning officer in every electoral district shall, by a proclamation under his hand, issued in the English and French languages indicate—

(*a.*) The place, day and hour fixed for the nomination of candidates;

(*b.*) The day on which the poll for taking the votes of the electors is to be held, in case a poll is necessary;

(*c.*) The appointment of his election clerk.

Form.

(2.) Such proclamation shall be in the form G. 63-64 V., (C.), c. 12, s. 24; 59 V., (Q.), c. 9, ss. 92, 98.

Posting up proclamation.

92. The proclamation shall be posted up in all the electoral districts, at least eight days before the day fixed for the nomination of candidates, neither the day of posting it up nor the day of nomination being reckoned. 63-64 V., (C.), c. 12, s. 25; 59 V., (Q.), c. 9, ss. 96, 98.

How to be published.

93. The returning officer shall cause the said proclamation to be posted up at one of the most prominent and conspicuous places in the electoral district for which the election is to take place. 63-64 V., (C.), c. 12, s. 26; 59 V., (Q.), c. 9, s. 96.

§ 4.—*Nomination of Candidates.*

Nomination day how fixed.

94. (1.) The Lieutenant-Governor in Council shall, except as hereinafter mentioned, fix the day for the nomination of candidates at the election.

For general election.

Exception.

(2.) At every general election he fixes one and the same day for the nomination of candidates in all the electoral districts, except in the electoral districts of Gaspé, Chicoutimi and Saguenay and the Magdalen Islands. 63-64, V., (C.), c. 12, s. 27; 59 V., (Q.), c. 9, ss. 68, 69.

Day to be named in the writs.

95. The day, in cases where fixed by the Lieutenant-Governor in Council, shall be named in the writs of election for the several electoral districts respectively. 63-64, V., (C.), c. 12, s. 28; 59 V., (Q.), c. 9, s. 70.

Nomination not to be on a holiday.

96. The nomination of candidates shall not take place upon any holiday. 59 V., (Q.), c. 9, s. 72.

Nomination and polling days in certain districts.

97. In the electoral districts of Gaspé, Chicoutimi and Saguenay, and the Magdalen Islands, the returning officers shall fix the day for the nomination of candidates, and also the day and places for holding the polls; the nomination in the said electoral districts shall take place not less than eight days after the proclamation hereinbefore required has been posted up,—neither the day of posting it up nor the day of nomination being reckoned; and the day for holding the polls shall be as early a date thereafter as possible, but not less than seven days after nomination; and, at a general election it shall, if possible, be the same day as that fixed by the Lieutenant-Governor in Council for the other electoral districts, but not sooner.

Nomination, &c., in Magdalen Islands.

In the electoral district of the Magdalen Islands, however, the nomination and the polling shall be held between the twentieth of May and the fifteenth of December. 63-64 V. (C.), c. 12, s. 29; 59 V. (Q.), c. 9, s. 71; 59 V. (Q.), c. 6, s. 4.

Change of nomination day if proclamation not published.

98. If, owing to unforeseen delays, accidents or other causes, the proclamation cannot be posted up, so as to allow the period required between the day of the posting and that of the nomination, the returning officer shall fix another day for the nomination of candidates.

Other day fixed.

Such day shall be the earliest possible after the expiration of the delay required between the day of the posting and that of the nomination.

Election, how conducted.

In all other respects the whole of such election shall be conducted as other elections governed by this Act.

Special return.

The returning officer, in his return of the election, shall transmit to the Clerk of the Crown in Chancery a special return of the reasons which so occasioned the postponement of the election. 59 V., (Q.), c. 9, s. 99.

Place of nomination.

99. The place fixed for the nomination of candidates shall be the court house, or town hall, or some other public or private building, in the most central or most convenient place for the majority of the electors of each electoral district. 63-64 V., (C.), c. 12, s. 31; 59 V., (Q.), c. 9, s. 93.

Hours for nomination.

100. The time appointed for the nomination of candidates shall be from the hour of twelve

at noon until the hour of two in the afternoon of the day fixed for that purpose, and during that time the returning officer and election clerk shall be present at the place indicated in the proclamation to receive the nomination papers. 63-64 V., (C.), c. 12, s. 32; 59 V., (Q.) c. 9, s. 94.

Form of nomination paper.

101. (1.) Any twenty-five electors may nominate a candidate for the electoral district for which the election is held, by signing a nomination paper in the form H, stating therein the name and surname, residence and addition or description of the person proposed, in such manner as sufficiently to identify such candidate, and by producing or by causing the said nomination paper to be produced to the returning officer at the time and place indicated in the proclamation or to be filed with the returning officer as hereinafter mentioned.

Mark by those who cannot write.

(2.) The mark affixed upon the nomination paper by any elector unable to write, shall be deemed to be the signature required, according to the meaning of this Act.

Nomination papers may be filed with returning officer at other places and times.

(3.) Such nomination papers may also be filed with the returning officer at any other place, and at any time between the date of the proclamation and the day of nomination with the same effect as if produced at the time and place fixed for the nomination; and, at the close of the time for nominating the candidates, the returning officer shall deliver to every candidate, or agent of a candidate applying therefor, a duly certified list of the names of the several candidates, who have been nominated; and any votes given at the election for any other candidates than those so nominated shall be null and void. 63-64 V. (C.), c. 12, s. 33; 59 V., (Q.), c. 9, ss. 100, 101, 103, 104, 117.

Votes for others null.

Consent of candidate.

102. (1.) No nomination paper shall be valid and acted upon by the returning officer unless it is accompanied by the consent in writing of the person therein nominated, (form H,) except when such person is absent from the province,—in which case such absence shall be stated in the nomination paper; and unless a sum of two hundred dollars, in legal tender or in the bills of any chartered bank doing business in this province, or a cheque for that sum drawn upon and accepted by any such bank, is deposited in the hands of the returning officer at the time the nomination paper is filed with him. 1 Ed. VII. (C.), c. 16, s. 2; 59 V., (Q.), c. 9, ss. 102, 105, § 1, 111.

Deposit by him.

Evidence thereof.

(2.) The receipt of the returning officer shall, in every case, be sufficient evidence of the production of the nomination paper, of the consent of the candidate, and the deposit hereinabove mentioned.

Deposit, how to be dealt with.

(3.) The sum so deposited by any candidate is not liable to seizure and shall be returned to him in the event of his being elected or of his obtaining a number of votes at least equal to one half the number of votes polled in favour of the candidate elected,—otherwise, except in the case provided for by article 109, it shall belong to His Majesty for the public uses of the province; and the sums so paid and not returned as herein provided shall be applied by the returning officer towards the payment of the election expenses; and an account thereof shall be rendered by him to the Provincial Treasurer. 63-64 V., (C.), c. 12, s. 34; 59 V., (Q.), c. 9, s. 105 §§ 2, 3.

Nomination paper to be attested.

103. (1.) The returning officer shall require the person, or one or more of the persons, producing or filing as aforesaid any such nomination paper, to make oath before him that he knows or they know that the several persons who have signed such nomination paper or have made their mark thereon are electors duly entitled to vote, and that they have signed or have made their mark thereon in his or their presence, and that the consent of the candidate had been signed in his or their presence, or that the person named as candidate is absent from the province, as the case may be.

Form of oath.

(2.) Such oath may also be taken before a justice of the peace or a commissioner of the Superior Court, and may be in the form I; and the fact of its having been taken shall be stated on the back of the nomination paper. 63-64 V., (C.), c. 12, s. 35; 59 V., (Q.), c. 9, ss. 106, 107, 108.

Oath of candidate.

104. If the nomination paper is produced by the candidate himself, the returning officer shall require such candidate to make oath before him, that the signature subscribed to the consent is his signature, and an entry thereof is made at the end or on the back of the nomination paper; and, in such case, the affidavit of another person, in relation to the consent of the candidate, shall not be required. 59 V., (Q.), c. 9, s. 109.

Validity of nomination papers.

105. No nomination paper shall be valid or carried into effect by the returning officer, unless it is made and delivered in conformity with the formalities prescribed by articles 101 to 104 inclusively.

Declaration of returning officer.

But, on accepting and having examined the same, the returning officer must, at once, declare whether he considers it valid, and give effect to his declaration by entering thereon under his signature the word "admitted" or the word "rejected," with, in the latter case, the reasons for such rejection.

New nomination paper.

The nomination paper may then be corrected or replaced by another nomination paper, so long as the delay has not expired.

Contents of receipt.

The returning officer shall mention, in the receipt given by him under paragraph 2 of article 102, that the nomination paper was deemed valid and admitted by him. Id., s. 110.

Return when only one candidate nominated.

106. Whenever only one candidate has been nominated within the time fixed for that purpose, the returning officer shall forthwith make his return to the Clerk of the Crown in Chancery that such candidate is duly elected for the said electoral district,—of which return he shall send, within forty-eight hours, a duplicate or certified copy to the person elected; and such return shall be in the form J. 63-64 V., (C.), c. 12, s. 36; 59 V. (Q.), c. 9, ss. 113, 114.

Report to accompany return.

107. The returning officer shall accompany his return to the Clerk of the Crown in Chancery with a report of his proceedings and of any nomination proposed and rejected for non-compliance with the requirements of this Act. 63-64 V. (C.), c. 12, s. 37; 59 V. (Q.), c. 9, s. 115.

Withdrawal of candidate.

108. Any candidate nominated may withdraw at any time after his nomination, and before the closing of the poll, by filing with the returning officer a declaration in writing to that effect, signed by himself in presence of two electors who sign the same as witnesses;

and any votes cast for the candidate who has so withdrawn shall be null and void; and if, after the withdrawal, there remains but one candidate, the returning officer shall return as duly elected the candidate so remaining, without waiting for the day fixed for holding the poll, or for the closing of the poll if such withdrawal is filed on the polling day. 63-64 V. (C.), c. 12, s. 38; 59 V. (Q.), c. 9, ss. 118, 119.

Death of candidate.

109. (1.) If a candidate dies after being nominated and before the closing of the poll, the returning officer may fix another day for the nomination of candidates,—which day shall be the nearest day possible after allowing the number of days required by article 92 between the posting up of the proclamation and the nomination day.

Deposit, how to be dealt with.

(2.) In such case the candidate's deposit shall be returned to his legal representatives.

Election, how to be carried on.

(3.) The election, in the case of this article, must otherwise be held in the same manner as other elections under this act.

Return to be made in such cases.

(4.) In his report respecting the election the returning officer must forward to the Clerk of the Crown in Chancery a special report of the reasons which occasioned the postponement of the election. 63-64 V., (C.), c. 12, s. 39; 59 V., (Q.), c. 9, s. 99.

Granting of poll.

110. If more candidates than the number required to be elected for the electoral district are nominated in the manner required by this Act, the returning officer shall grant a poll for taking the votes of the electors. 63-64 V., (C.), c. 12, s. 40; 59 V., (Q.), c. 9, s. 116.

§ 5.—*Qualification of Candidates.*

Qualification of members.

111. No person shall be elected a member of, or vote, or sit as such in the Legislative Assembly who is not at least twenty-one years of age, of the male sex, a subject of His Majesty by birth or naturalization, free from all legal disability, and in the enjoyment of his civil and political rights. 59 V., (Q.), c. 9, s. 120.

§ 6.—*Proceedings between Nomination and Poll.*

Duties of returning officer: Notice of poll.

112. When polling is necessary, the returning officer shall:

(*a.*) Cause to be posted up notices of his having granted such poll, including the names, residences and occupations of the candidates nominated in the order in which they are to be printed on the ballot papers hereinafter mentioned; the names, occupations, residences and addresses of their agents; the different polls established by him, and the territorial limits to which they respectively apply; and the time when and place where the returning officer shall add up the number of votes given for the different candidates.

Posting of notices and form thereof.

Such notices shall, as soon as possible after the nomination, be placarded at all the places where the proclamation for the election was posted up, and shall be in the form K; 63-64 V., (C.), c. 12, s. 41 (*a*); 1 Ed. VII. (C.), c. 16, s. 3; 59 V., (Q.), c. 9, ss. 122, § 1, 123.

Deputy returning officer.

(*b.*) Appoint, by a commission under his hand, in the form L, a deputy returning officer for each polling division in the electoral district, who shall, before acting as such, take the oath of office in form M; 63-64 V., (C.), c. 12, s. 41 (*b*); 59 V., (Q.), c. 9, ss. 126, 128.

Copies of Act and of list of electors.

(*c.*) Furnish each deputy returning officer with a copy of this Act and a copy of the list of electors, if there is one, for the polling division for which he is appointed,—such copy of the list of electors, being first certified by himself,—and a copy of the instructions approved by the Lieutenant-Governor in Council, as provided in article 87 of this Act; 63-64 V., (C.), c. 12, s. 41 (*c*); 59 V., (Q.), c. 9, s. 129.

Ballot boxes, forms, &c.

(*d.*) Deliver to each deputy returning officer, one day at least before the polling day, a blank poll book, forms of oaths to be administered to voters, envelopes, sealing wax and a ballot box, and also a screen if one is required; 63-64 V., (C.), c. 12, s. 41 (*d*); 59 V., (Q.), c. 9, s. 131, § 1.

Ballot papers.

(*e.*) Furnish each deputy returning officer with a sufficient number of ballot papers (all being of the same description and as nearly as possible alike) to supply the number of voters on the list of such polling division, and a certificate of the number of such ballot papers, and with the necessary materials for voters to mark their ballot papers; 63-64 V., (C.), c. 12, s. 41 (*e*); 59 V., (Q.), c. 9, s. 133.

Directions for voters.

(*f.*) Furnish each deputy returning officer with at least ten copies of printed directions, in the form N, for the guidance of voters in voting,—which printed directions the deputy returning officer shall, before or at the opening of the poll, on the day of polling, cause to be posted up in some conspicuous places outside of the polling station, and also in each compartment of the polling station; 63-64 V., (C.), c. 12, s. 41, (*f*); 59 V., (Q.), c. 9, s. 139.

Lists of deputy returning officers.

(*g.*) Furnish, at least two days before the day fixed for polling, to each candidate or his agent, a list of all deputy returning officers appointed to act in such election, with the name or number of the poll at which each of them is to act and also a copy of the Election Act. 63-64 V., (C.), c. 12, s. 41, (*g*).

New list if first lost.

113. If the list, copy or extract in the possession of any deputy returning officer has been lost or destroyed, it shall be the duty of the returning officer to provide that another certified list, copy or extract be supplied to such deputy returning officer. 59 V., (Q.), c. 9, s. 130.

Poll to be in each voting sub-division.

114. The returning officer shall establish a poll in each voting subdivision established under articles 63, 64, 65 and 67. Id., s. 89.

Where Poll to be established.

115. The polls shall be established in central and commodious localities. Id., s. 90.

Poll clerk.

116. Each deputy returning officer shall forthwith appoint, by commission under his hand, in the form O, a poll clerk who, before acting as such clerk, shall take the oath in the form P.

Information as to deputies and poll clerks.

117. Each deputy returning officer shall, if practicable, furnish to the returning officer, not later than nine o'clock in the morning of the day prior to the day fixed for polling, the name and occupation or addition of such poll clerk; and the returning officer shall, not later than twelve o'clock noon of the day prior to the day fixed for polling, post up in his office a list of the deputy returning officers and poll clerks, with the occupation or addition of each, showing the poll where each is to act, and shall permit free access to and afford full opportunity for inspection of such list, as well as the list of electors, by any candidate, agent or elector up to at least six o'clock of the evening of the same day. 63-64 V., (C.), c. 12, s. 42; 59 V., (Q.), c. 9, ss. 140, 142.

Duties of poll clerks.

118. The poll clerk, at the poll for which he shall have been appointed, shall be bound to aid and assist in the execution of his duties the deputy returning officer appointed to keep the poll at such place, and to obey the orders of such deputy returning officer. 59 V., (Q.), c. 9, s. 143.

New poll clerk in certain cases, and his oath.

119. If the poll clerk dies, is unable to act, or if he refuses to accept such office, or neglects to discharge the duties thereof, the deputy returning officer shall appoint another person competent to act as poll clerk, who shall take the oath prescribed by article 116. Id., s. 141.

Poll clerk to act as deputy returning officer in certain cases.

120. (1.) Whenever a deputy returning officer dies or refuses or is unable to act, the returning officer may appoint another person to act in his place as deputy returning officer; and, if no such appointment is made, the poll clerk, without taking another oath of office, shall act as deputy returning officer.

Appoint poll clerk under him.

(2.) Whenever the poll clerk acts as deputy returning officer, he shall, by a commission in the form Q, appoint a poll clerk, to act in his stead, who shall take the oath required by article 116. 63-64 V., (C.), c. 12, s. 43; 59 V., (Q.), c. 9, ss. 127, 144, 145.

Furnishing of ballot boxes by clerk of the Crown in Chancery, &c.

121. The Clerk of the Crown in Chancery may cause to be made for each electoral district such number of ballot boxes as are required; or may give to the returning officers such instructions as are deemed necessary to secure ballot boxes of a uniform size and shape, —such instructions being first approved of by the Lieutenant-Governor in Council. 63-64 V., (C.), c. 12, s. 44; 59 V., (Q.), c. 9, s. 332.

Ballot-boxes, &c., furnished by sheriff and registrar.

122. The sheriff of the district or the registrar of the registration division, in which the nomination has been held, shall, immediately after it has been declared that a poll is necessary, deliver to the returning officer the ballot boxes deposited in his custody in accordance with this Act. 63-64 V., (C.), c. 12, s. 45.

If ballot box or screen is not furnished.

123. Whenever the returning officer fails to furnish the ballot box and screen, or either of them, to the deputy returning officer for any polling division, within the time prescribed by this Act, or if either has or both have been removed or lost, such deputy returning officer shall cause them, or whichever of them is wanting, to be made. 63-64 V., (C.), c. 12, s. 46; 59 V., (Q.), c. 9, s. 132.

Construction of ballot boxes.

124. The ballot box shall be made of some durable material, with lock and key, and a slit or narrow opening in the top, and so constructed that the ballot papers may be introduced therein, but cannot be withdrawn therefrom unless the box is unlocked. 63-64 V., (C.), c. 12, s. 47; 59 V., (Q.), c. 9, s. 131, § 2.

Form of ballot papers.

125. (1.) The ballot of each voter shall be a printed paper, in this Act called a ballot paper, on which the names of the candidates, alphabetically arranged in the order of their surnames, shall be printed exactly as they are set out in the nomination paper; and the ballot paper shall also be provided with a counterfoil, and there shall be a line of perforations between the ballot and the counterfoil, the whole as in form R. 1 Ed. VII., (C.), c. 16, s. 4; 59 V., (Q.), c. 9, s. 134.

Description of paper to be used.

(2.) The ballot shall be printed upon writing paper sufficiently thick so that the pencil mark shall not appear through it on the back. 63-64 V., (C.), c. 12, s. 48, § 3; 59 V., (Q.), c. 9, s. 137, § 1.

Name of printer to be placed thereon.

(3.) The ballot papers shall bear the name of the printer who prints them. 63-64 V., (C.), c. 12, s. 48, § 6.

Printer's affidavit.

(4.) The printer shall, upon delivering the ballot papers to the returning officer, file in his hands an affidavit setting forth the description of the ballot papers so printed by him, the number of ballot papers supplied to such returning officer, and the fact that no other ballot papers have been supplied by him to any one else. 63-64 V., (C.), c. 12, s. 48, § 7.

Use of ballots with name of retired candidate thereon.

126. If a candidate retires too late to allow of the printing of new ballot papers, and polling is proceeded with for other candidates, the deputy returning officer makes use of the ballot papers in hand after plainly striking out, in a uniform manner by a line in ink, the name of the candidate who has withdrawn, and such ballot papers shall serve for all the purposes of the election. 59 V., (Q.), c. 9, s. 138.

Property of ballot boxes, &c.

127. The property of the ballot boxes, ballot papers, envelopes and marking instruments procured for or used at any election shall be in His Majesty. 63-64 V., (C.), c. 12, s. 49; 59 V., (Q.), c. 9, s. 218.

§ 7.—*Voting.*

Polling day.

128. Except as hereinbefore provided, the day for holding the poll shall be the seventh day next after the expiration of the day fixed for the nomination of candidates, that is on the same or corresponding day of the week next after that on which the nomination has taken place, or if such seventh day is a statutory holiday, then on the next following juridical day. 63-64 V., (C.), c. 12, s. 50; 59 V., (Q), c. 9, s. 76, § 1.

Where the poll shall be held.

129. The poll shall be held in each polling division in a room or building of convenient access, with an outside door for the admittance of voters, and having, if possible, another door through which they may leave after having voted; and one or two compartments shall be made within the room, so arranged that each voter may be screened from observation, and may, without interference or interruption, mark his ballot paper; and a table or desk with a hard and smooth surface shall be provided, upon which the voter may mark his ballot paper; and a suitable black lead pencil shall be provided and kept properly sharpened throughout the hours of polling for the use of the voters in marking their ballots. 63-64 V., (C), c. 12, s. 51, § 1; 59 V., (Q.), c. 9, ss. 146, 147, 137, §§ 2, 3.

Compartments.

Table to be provided.

Instructions by clerk of the Crown in Chancery.

130. The Clerk of the Crown in Chancery may give to the returning officers such instructions as are deemed necessary as to the mode of making the compartments,—such instructions being first approved by the Lieutenant-Governor in Council. 63-64 V., (C.), c. 12, s. 51, § 2.

Hours for polling.

131. The poll shall be opened at the hour of nine of the clock in the forenoon and kept open until five of the clock in the afternoon of the same day; and each deputy returning officer shall, during that time, in the polling station assigned to him, receive, in the manner hereinafter prescribed, the votes of the electors duly qualified to vote at such polling station. 63-64 (C.), c. 12, s. 52; 59 V., (Q.), c. 9, s. 148.

Who may remain in the room.

132. In addition to the deputy returning officer and the poll clerk, the candidates and their agents (not exceeding two in number for each candidate in each polling station), or, in the absence of agents, two electors to represent each candidate on the request of such electors, and no others, shall be permitted to remain in the room where the votes are given, during the time the poll remains open.

Agents authorized in writing.

Provided always, that any agent bearing a written authorization from the candidate shall always be entitled to represent such candidate in preference to, and to the exclusion of, any two electors who might otherwise claim the right of representing such candidate under this article. 63-64 V., (C.), c. 12, s. 53; 59 V., (Q.), c. 9, s. 150.

Who may act as agent for candidates.

133. Any person producing to the returning officer or deputy returning officer, at any time, a written authority from a candidate to represent him at the election or at any proceeding of the election, shall be deemed an agent of such candidate for the purposes of the voting only. 63-64 V., (C.), c. 12, s. 54; 59 V., (Q.), c. 9, s. 219.

As to provisions requiring presence of agents, &c.

134. Whenever in this Act any expressions are used, requiring or authorizing any act to be done, or implying that any act or thing is to be done, in the presence of agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as are authorized to attend, and as have, in fact, attended at the time and place where such act or thing is being done; and the non-attendance of any agents or agent at such time and place shall not, if the act or thing is otherwise duly done, invalidate in any wise the act or thing done. 63-64 V., (C.), c. 12, s. 55; 59 V., (Q.), c. 9, s. 221.

Candidate may act in lieu of agent.

135. A candidate may himself undertake the duties which any agent of his, if appointed, might have undertaken, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may, in pursuance of this Act, be authorized to attend. 63-64 V., (C.), c. 12, s. 56; 59 V., (Q.), c. 9, s. 220.

Who may not act as agent.

136. Every returning officer or deputy returning officer of an electoral district, who acts as agent for any candidate in the management or conduct of his election for such electoral district, is guilty of an offence which may be summarily tried and is liable to a fine of two hundred dollars. 63-64 V., (C.), c. 12, s. 57; 59 V., (Q.), c. 9, s. 232.

Oath of agents.

137. One of the agents of each candidate, and, in the absence of such agent, one of the electors representing each candidate, if there is such elector, on being admitted to the polling station, shall take an oath to keep secret the names of the candidates for whom any of the voters has marked his ballot paper in his presence, as hereinafter required,—which oath shall be in the form S. 63-64 V., (C.), c. 12, s. 58; 59 V., (Q.), c. 9, s. 151.

Inspection of ballot papers, &c., before opening of poll.

138. Agents and electors entitled to be present in the room of the polling station during polling hours shall be entitled to have the ballot papers intended for use thereat carefully counted in their presence before the opening of the poll, and shall be entitled to inspect such ballot papers and all other papers, forms and documents relating to the poll; provided such agents or electors are in attendance at least fifteen minutes before the hour fixed for opening the poll. 1 Ed. VII., (C.), c. 16, s. 5.

Provision as to election officers or agents entitled to vote.

139. (1.) The returning officer, on the request of any elector entitled to vote at one of the polling stations, who is appointed deputy returning officer or poll clerk, or who is named the agent of any of the candidates for a polling station other than the one where he is entitled to vote, shall give to such elector a certificate that such deputy returning officer, poll clerk or agent is entitled to vote at such election at the polling station where such elector is stationed during the polling day; and, on the production of such certificate, such deputy returning officer, poll clerk or agent shall have the right to vote at the polling station where he is placed during the polling day, instead of at the polling station where he would otherwise have been entitled to vote; provided that no such certificate shall entitle any such elector to vote at such polling station unless he has been actually engaged as such deputy returning officer, poll clerk or agent during the day of polling; provided also that no more than two agents of any candidate shall have the right to vote at any one polling place under such certificates.

Proviso.

Proviso.

Limitation.

(2.) The returning officer shall not grant such certificate for more than two agents for each candidate at or for each polling station.

Oath and form thereof.

(3.) Every person so appointed deputy returning officer, poll clerk or agent, and claiming to vote by virtue of such certificate, shall, if required, before voting, take the oath in the form T.

Oath to be filed.

(4.) Such oath, with the corresponding certificate of the returning officer, shall be filed with the deputy returning officer at the polling station where the person taking it has voted. 63-64 V., (C.), c. 12, s. 61; 59 V., (Q.), c. 9, s. 165.

Opening the poll; showing and locking ballot-box.

140. At the hour fixed for opening the poll, the deputy returning officer and the poll clerk shall, in the presence of the candidates, their agents, and such of the electors as are present, open the ballot box and ascertain that there are no ballot papers or other papers therein, after which the box shall be locked, and the deputy returning officer shall keep the key thereof. 63-64 V., (C.), c. 12, s. 62; 59 V., c. 9, s. 152.

Calling upon electors to vote.

141. (1.) Immediately after the ballot box is locked, as above provided, the deputy returning officer shall at nine o'clock precisely call upon the electors to vote.

Voters not to be impeded.

(2.) The deputy returning officer shall secure the admittance of every elector into the polling station, and shall see that he is not impeded or molested at or about the polling station. 63-64 V., (C.), c. 12, s. 63; 59 V., (Q.), c. 9, ss. 153, 154.

Elector to declare his name, &c.

142. (1.) Not more than one elector for each compartment shall, at any one time, enter the room where the poll is held, and each elector upon so entering shall declare his name and addition, which particulars shall be entered in the poll book, by the poll clerk, a number being prefixed to the name.

Poll-book.

(2.) The poll book shall be kept in the form U.

If name is on list.

(3.) If the elector's name is found on the list of electors for the polling subdivision of the polling station, he shall be entitled to vote. 63-64 V., (C.), c. 12, s. 64 §§ 1, 2, 3; 59 V., (Q.), c. 9, s. 156.

Oath to be submitted to electors.

143. Any elector presenting himself to vote, shall, before receiving his ballot paper, if thereunto required by the deputy returning officer, the poll clerk, one of the candidates, or one of their agents, or by any elector present, take the following oath or affirmation, and, under such oath or affirmation, answer in the affirmative to questions numbers 1, 2, 4 and 10, and in the negative to questions 3, 5, 6, 7, 8 and 9 of the following form:

How questions to be answered.

FORM OF OATH OR AFFIRMATION.

Form of oath.

"You swear (*or* affirm, *as the case may be*) to answer the truth and nothing but the truth to the questions which will be put to you; So help you God:

1. Are you the person meant or intended to be meant by the name entered as follows (*name of the elector entered on the list*) on the list of electors for this polling subdivision?
2. Are you a subject of His Majesty?
3. Have you been naturalized in any other country or taken thereto the oath of allegiance?
4. Are you of the full age of twenty-one years?
5. Have you voted before to-day at this election for this electoral district, at this or any other poll?
6. Has any promise been made to you, or to your wife or to any of your relations, friends or other persons, to induce you to vote or not to vote at this election?
7. Have you received anything, either personally or through your wife or through any member of your family, or in any other manner, to induce you to vote or not to vote at this election, or in relation to your vote at this election?
8. Have you been guilty of, or participated in, any corrupt practice whatever which disqualifies you from voting at this election?
9. Have you been remunerated or paid or been promised the payment of anything, or do you expect that you will be paid anything for your having come to vote, or to remunerate you in any way for the services rendered at this election for one of the candidates, except as carter for conveying such candidate or his agent?
10. Not being a proprietor and residing out of Canada for over a year, have you returned to this country with your family, at least one month before the election, with the intention of remaining therein?" 63-64 V., (C.), c. 12, s. 65; 59 V., (Q.), c. 9, s. 157; 60 V., (Q.), c. 21, ss. 28, 29; 61 V., (Q.), c. 13, ss. 1, 2.

Some of the questions only may be required to be put.

144. The person requiring the oath may declare that he intends that one or some only of the questions mentioned in the above form be put to the elector, and, in that case, the deputy returning officer puts only that or those questions so indicated.

No ballot to be given to person who has refused to be sworn.

145. No ballot paper shall be given to any elector who shall have refused to take the oath or affirmation mentioned in article 143 or 144, when thereunto required, or who having taken the same, shall not have answered in the manner prescribed in such articles. 59 V., (Q.), c. 9, s. 159.

Oath exacted by deputy returning officer.

146. Whenever any deputy returning officer has reason to know or believe that any person presenting himself to vote has already voted at the election and presents himself with the view of voting again, or that such person desires to vote under a false name or designation, or falsely gives himself out or represents himself as entered upon the list of electors, such deputy returning officer, whether he be required so to do or not, shall administer to such person the oath or affirmation authorized by law, under penalty of being guilty of an offence which may be summarily tried and of being liable to a fine of two hundred dollars; and, in that case, mention is made of such formality by adding after the word "*Sworn*" these words: "*in virtue of article* 146." 59 V., (Q.), c. 9, s. 160.

Ballot-paper to be initialled by deputy returning officer.

147. The votes shall be given by ballot, and each elector who is entitled to vote shall receive from the deputy returning officer a ballot paper, on the back of which such deputy returning officer has previously put his initials, so placed that when the ballot is folded they can be seen without opening it, and on the back of the counterfoil of which he has also placed his initials. 1 Ed. VII, (C.), c. 16, s. 7; 59 V., (Q.), c. 9, s. 156, § 3.

Information to be given to electors.

148. The deputy returning officer only can and shall, when required so to do, sincerely and openly give to an elector the information necessary to show him how to make his mark, but without the slightest indication of preference or suggestion. 63-64 V., (C.), c. 12, s. 71; 59 V., (Q.), c. 9, s. 155.

Mode of voting and marking ballots, &c.

149. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments of the polling station and there mark his ballot paper, making a cross with a

black lead pencil within the white space containing the name of the candidate for whom he intends to vote, and shall then fold up the ballot paper so that the initials on the back of it and on the counterfoil can be seen without opening it, and hand it to the deputy returning officer, who shall, without unfolding it, ascertain by examining his initials that it is the same which he furnished to the voter, and shall then, in full view of those present, including the elector, remove the counterfoil and destroy it and place the ballot paper in the ballot box, which box shall be placed on a table in full view of those present. 63-64 V., (C.), c. 12, s. 72; 59 V., (Q.), c. 9, s. 161.

Elector spoiling his ballot paper.

150. A voter who has inadvertently dealt with the ballot paper given him in such manner that it cannot be conveniently used shall,—on returning it to the deputy returning officer, who shall cancel it, by writing thereon the word "null" with his initials—obtain another ballot paper in its place. 63-64 V., (C.), c. 12, s. 73; 59 V., (Q.), c. 9, s. 166.

Elector in whose name another has previously voted.

151. If a person, representing himself to be an elector whose name appears upon the list, applies for a ballot paper, after another person has voted as such elector, the applicant, upon taking the oath in the form V and otherwise establishing his identity to the satisfaction of the deputy returning officer, shall be entitled to receive a ballot paper, on which the deputy returning officer shall put his initials, and he shall thereupon be entitled to vote as any other elector.

Entry in poll book in such cases.

Mention shall be made in the poll book of the fact of the elector having voted on a second ballot paper issued under the same name, and that, on demand, he had taken the required oath or affirmation mentioned in article 143 or 144, and also of any objection made to such vote on behalf of any of the candidates, and of the name of such candidate. 63-64 V., (C.), c. 12, s. 74; 59 V., (Q.), c. 9, s. 167.

Elector unable to mark his ballot-paper.

152. (1.) The deputy returning officer, on the application of any elector who is unable to read or is incapacitated by blindness or other physical cause from voting in the manner prescribed by this act, shall assist such elector by marking his ballot paper in the manner directed by such elector, in the presence of the sworn agents of the candidates, or of the sworn electors representing them in the polling station, and of no other person, and by placing such ballot paper in the ballot box; and the deputy returning officer shall require the elector making such application, before voting, to make oath of his incapacity to vote without such assistance, in the form W.

Interpreter to be sworn in certain cases.

If interpreter cannot be found.

(2.) Whenever the deputy returning officer does not understand the language spoken by any such elector claiming to vote, he shall swear an interpreter, who shall be the means of communication between him and such elector with reference to all matters required to enable such elector to vote; and, in case no interpreter is found, such elector shall not be allowed to vote.

Deputy to enter reasons for marking by him.

(3.) The deputy returning officer shall enter in the poll book opposite the names of the voters whose ballot papers have been so marked, in addition to what is required by article 155, the reason why such ballot was marked by him. 63-64 V., (C.), c. 12, s. 75; 59 V., (Q.), c. 9, ss. 163, 164, 168.

No delay in voting.

153. Every elector shall vote without undue delay, and shall quit the poll as soon as his ballot paper has been put into the ballot box. He must be sent away without having voted if he unduly delays in doing so, and his ballot is placed among those to be rejected. 59 V., (Q.), c. 9, s. 169.

Voting more than once in same electoral district forbidden.

154. No person shall vote more than once in the same electoral district at the same election. 63-64 V., (C.), c. 12, s. 77; 59 V., (Q.), c. 9, s. 279, § 1.

Entries in poll-book.

155. The poll clerk shall enter in the poll book to be kept by him as aforesaid, opposite the name of each elector voting, the word "*Voted*," as soon as his ballot paper has been deposited in the ballot box, and he shall enter in the same book the word "*Sworn*" or "*Affirmed*," indicating the number or numbers of the paragraph or paragraphs of the form to which he had been required to answer, opposite the name of each elector to whom the oath or affirmation has been administered, and the words "*Refused to be sworn*" or "*Refused to affirm*" or "*Refused to answer*" opposite the name of each elector who has refused to take any oath or to affirm, when he has been legally required so to do, or has refused to answer questions which he has been legally required to answer. 63-64 V., (C.), c. 12, s. 78; 59 V., (Q.), c. 9, s. 162.

Offences.

156. Every one who—

(*a.*) forges, counterfeits, fraudulently alters, defaces or fraudulently destroys a ballot paper or the initials of the deputy returning officer signed thereon; or—

(*b.*) without authority supplies a ballot paper to any person; or—

(*c.*) fraudulently puts into a ballot box a paper other than the ballot paper which he is authorized by law to put in; or—

(*d.*) fraudulently takes a ballot paper out of the polling station; or—

(*e.*) without due authority destroys, takes, opens or otherwise interferes with a ballot box or packet of ballot papers then in use for the purposes of the election; or—

(*f.*) being a deputy returning officer, fraudulently puts, otherwise than as authorized by article 147, his initials on the back of any paper purporting to be or capable of being used as a ballot paper at an election; or—

(*g.*) with fraudulent intent, prints any ballot paper or what purports to be or is capable of being used as a ballot paper at an election; or—

(*h.*) being authorized by the returning officer to print the ballot papers for an election, with fraudulent intent, prints more ballot papers than he is authorized to print; or—

(*i.*) attempts to commit any offence specified in this article,—

Penalty.

is guilty of an offence summarily triable, and shall be liable, if he is a returning officer, deputy returning officer or other officer engaged at the election, to a fine not exceeding one thousand dollars and not less than three hundred dollars, and to imprisonment for a term not exceeding five years and not less than one year, with or without

hard labour, in default of paying such fine,—and, if he is any other person, to a fine of from one hundred dollars to five hundred dollars, and to imprisonment for any term not exceeding two years and not less than six months, with or without hard labour, in default of paying such fine. 63-64, V., (C.), c. 12, s. 79; 59 V., (Q.), c. 9, s. 179.

Witnesses need not appear on voting day.

157. No elector, summoned as a witness before any judge or tribunal whatever in this province, shall be compelled to be or appear before such judge or tribunal on the day during which voting takes place in the electoral district in which such elector is entitled to vote. 59 V., (Q.), c. 9, s. 179.

Factories, &c., to be kept closed during afternoon of polling day. Penalty.

158. No person shall keep open any factory, works, workshop or shop during the whole time comprised between one and six o'clock in the afternoon of the polling day, in the division or wards of a city in which polls are held, under a penalty of being guilty of an offence summarily triable and of being liable to a fine of one hundred dollars.

Provisions if nomination or polling could not be held on day fixed.

159. In case, through accident or irresistible force, riot, removal of documents, or other cause of a similar nature, the nomination could not be had, or the voting could not commence at the hour fixed or was interrupted by similar causes or an insufficiency of ballot papers before being closed, the returning officer and the deputy returning officer, in so far as it concerns either, shall adjourn to the following day to recommence the operation, and day by day if necessary until the nomination of candidates may be freely held; and, in the case of the polling, it is resumed by commencing at the hour fixed by article 131, until it has lasted eight hours so that all the electors who wish to vote may have had the opportunity of so doing. 59 V., (Q.), c. 9, s. 173.

§ 8.—*Close of the poll and proceedings thereafter.*

Close of poll.

160. (1.) At five o'clock the poll is closed and the voting is closed; an entry thereof is made in the poll book.

Counting the ballot papers.

(2.) Immediately thereafter, the deputy returning officer shall first place all the spoiled ballots in an envelope and seal it up, and shall then count the number of voters whose names appear on the poll book as having voted, and make an entry thereof on the line immediately below the name of the voter who voted last, thus: "*The number of voters who voted at this election in this polling division is (stating the number),*" and he shall sign his name thereto; then, in the presence of and in full view of the poll clerk and the candidates or their agents—and, if the candidates and their agents or any of them are absent, then in the presence of such, if any, of them as are present, and of at least three electors,—he shall open the ballot box and proceed to count the number of votes given for each candidate, giving full opportunity to those present to examine each ballot.

Rejecting the ballots.

(3.) In counting the votes, he shall reject all ballot papers which have not been supplied by the deputy returning officer,—all those by which more than one vote has been given,—all those upon which there is any writing or mark by which the voter could be identified, other than the numbering by the deputy returning officer in the cases hereinafter provided for,—all those left in blank or null as uncertain,—all other ballot papers which may have been presented to him and which do not have his initials thereon, saving the case of article 161. 63-64 V., (C.), c. 12, s. 80; 59 V., (Q.), c. 9, ss. 181, 183.

Duty of deputy returning officer if ballots are found not initialled, although only the correct number in box.

161. When at the counting of the ballots, it has been established that the number of ballots deposited in the box corresponds with that entered in the poll book (taking into account the ballots rejected which were not deposited), and when it appears that the ballots are not other than those supplied by the deputy returning officer, the said deputy returning officer, if he notices in counting, for the purpose of assigning them to each candidate, that, by oversight or forgetfulness, he has omitted initialling some or all of the ballots on the back, may then do so in presence of the persons in the poll house, and at the same time indicate it by a note at the end of his initials—as a correction made—and he makes an entry thereof in the poll book as prescribed by article 162.

Oath to be taken by him.

But, before so affixing his initials on the said ballots, the deputy returning officer must write, sign and attest under oath, before the poll clerk, the following declaration:

Form of oath.

"I swear that, through forgetfulness or oversight, I did not affix my initials on (*state the number*) ballot papers, which I acknowledged as having been supplied by me during the polling and which I have found in the ballot box. So help me God.

Sworn before me, at
this day of 19 ."

Deposit thereof.

This declaration must be deposited with the other documents in the ballot box.

Ballots to be then counted

Such ballot papers are then counted as if all formalities had been duly accomplished in respect thereto. 59 V., (Q.), c. 9, s. 182.

Objections to ballot papers

162. (1.) The deputy returning officer shall take a note of every objection made by any candidate, or his agent or any elector present, to any ballot paper found in the ballot box, and shall at once decide every question arising out of the objection; and the decision of the deputy returning officer shall be final, subject to reversal only on recount before a judge, or on petition questioning the election or return.

To be numbered.

(2.) Each objection to a ballot paper shall be numbered, and a corresponding number placed on the back of the ballot paper, and initialled by the deputy returning officer. An entry at the end of the poll book is made of each objection and its nature. 63-64 V., (C.), c. 12, s. 81; 59 V., (Q.), c. 9, s. 185.)

Entry in poll-book.

Duty of deputy returning officer, after counting the votes.

163. The other ballot papers being counted and a list kept of the number of votes given to each candidate, and of the number of rejected ballot papers, all the ballot papers indicating the votes given for each candidate respectively shall be put into separate envelopes or parcels, and those rejected, those spoiled, and those unused shall be put respectively into separate envelopes or parcels, and all such envelopes or parcels shall be endorsed so as to indicate their

contents, and shall be sealed by the deputy returning officer; they shall also be marked with the signatures of any agents present in the polling station who are willing to do so, by writing their signatures across the flap thereof, such agents affixing their seals on the flap if they desire so to do. 63-64 V., (C.), c. 12, s. 82; 59 V., (Q.), c. 9, s. 184.

Oaths by deputy returning officer and poll-clerk. Statement by deputy returning officer.

164. (1.) The deputy returning officer and the poll clerk, immediately after the completion of the counting of the votes, shall take and subscribe respectively the oaths in the forms X and Y, which shall remain attached to the poll book; after which the deputy returning officer shall make out a statement in triplicate, in the form Z, one copy to remain attached to the poll book, one copy to be retained by the deputy returning officer, and the third copy to be enclosed by him in a special envelope supplied for the purpose, which envelope he shall seal and deposit in the ballot box.

Certificate given to candidates or their representatives.

(2.) The deputy returning officer shall then, when so requested, deliver to each of the candidates, or to their agents, or, in the absence of such candidates or agents, to the electors present representing the candidates, a certificate, in the form AA, of the number of votes given for each candidate, and of the number of rejected ballot papers; and he shall also forthwith after the close of the poll, mail to each candidate, by registered letter, to the address stated in the ballot paper, a like certificate.

Documents to be inclosed in ballot box.

(3.) The poll book, the envelopes containing the ballot papers, the envelope containing the lists of electors, and all other documents which served at the election shall then be placed in the large envelope supplied for the purpose, and this large envelope shall then be sealed and placed in the ballot box.

Ballot box to be sealed and delivered to returning officer, &c.

(4.) The ballot box shall then be locked and sealed with the seal of the deputy returning officer, and shall be forthwith delivered by the deputy returning officer to the returning officer or to the election clerk, who shall receive the same, or to one or more persons specially appointed for that purpose by the returning officer; and such person or persons shall, on delivering the ballot boxes to the returning officer, take the oath in the form BB. 63-64 V., (C.), c. 12, s. 83; 59 V., (Q.), c. 9, ss. 186, 187, 188, 189, 190.

Safe keeping of ballot boxes.

165. The returning officer, upon the receipt by him of each of the ballot boxes, shall take every precaution for its safe-keeping and for preventing any person other than himself and his election clerk from having access thereto; and shall, immediately upon the receipt of each ballot box, seal it under his own seal in such a way that it cannot be opened without the seal being broken, and this he shall do without effacing or covering the seals thereto affixed. 63-64 V., (C.), c. 12, s. 84.

Addition of votes by returning officer.

166. (1.) The returning officer, at the place, day and hour appointed by his proclamation, and after having received all the ballot boxes, shall proceed to open them, in the presence of the election clerk, the candidates or their representatives, if present, or of at least two electors, if the candidates or their representatives are not present, and to add together the number of votes given for each candidate, from the statements, contained in the several ballot boxes returned by the deputy returning officers, of the ballot papers and counted by them.

Declaration thereupon.

(2.) The candidate who, on the addition of the votes, is found to have a majority of votes, shall then be declared elected. 63-64 V., (C.), c. 12, s. 85; 59 V., (Q.), c. 9, ss. 192, 196.

Casting vote of returning officer.

167. Whenever, on the addition of votes by the returning officer, an equality of votes is found to exist between any two or more of the candidates, and an additional vote would entitle any of such candidates to be declared elected, the returning officer shall at once give such additional or casting vote, by declaring in writing, signed by himself for whom he votes, saving the right to apply for a recount or final addition by a judge.

Not to vote otherwise.

In no other case shall the returning officer have the right to vote. 63-64 V., (C.), c. 12, s. 86; 59 V., (Q.), c. 9, s. 197.

Adjournment if ballot boxes are missing.

168. (1.) If the ballot boxes are not all returned on the day fixed for adding up the number of votes given to the several candidates, the returning officer shall adjourn the proceedings to a subsequent day,—such subsequent day not being more than a week later than the day originally fixed for the purpose of adding up the votes.

Adjournment for other causes.

(2.) In case any deputy returning officer has not duly inclosed in the ballot box the statement of the ballot papers counted by him as required by this Act, or if, for any other cause, the returning officer cannot, at the day and hour appointed by him for that purpose, ascertain the exact number of votes given for each candidate, the returning officer may thereupon adjourn to a future day and hour the said adding up of the number of votes given for each candidate, and so from time to time,—such adjournment or adjournments not in the aggregate to exceed two weeks. 63-64 V., (C.), c. 12, s. 87.

Loss of boxes.

169. (1.) If the ballot boxes or any of them have been destroyed or lost, or for any other reason are not forthcoming within the time fixed, as in the first paragraph of article 168 provided, the returning officer shall ascertain the cause of the disappearance of such ballot boxes, and shall call on each of the deputy returning officers whose ballot boxes are missing, or on any other person having them, for the lists, statements and certificates, or copies of the lists, statements and certificates of the number of votes given to each candidate, required by this Act, the whole verified on oath; and, if such lists or statements, or any of them, or copies thereof, cannot be obtained, he shall ascertain, by such evidence as he is able to obtain, the total number of votes given to each candidate at the several polling places, and to that end may summon any such deputy returning officer, his poll clerk, or any other person, to appear before him at a day and hour to be named by him, and to bring all necessary papers and documents with him,—of which day and hour and of the intended proceedings the candidates shall have due notice; and the returning officer may then and there examine on oath such deputy returning officer or poll clerk, or any other person, respecting the matter in question.

(2.) In case of an adjournment by reason of any deputy returning officer not having placed in the ballot box a statement of the ballot papers counted by him, the returning officer shall in the meantime use all reasonable efforts to ascertain the exact number of votes given for each candidate in the polling division of such deputy returning officer, and to that end shall have the powers set out in the next preceding paragraph. Duty of returning officer if statement is not in ballot box.

(3.) In any case arising under this article, the returning officer shall return the candidate appearing to have the majority of votes, and shall mention specially in his report to be sent with the return the circumstances accompanying the disappearance of the ballot boxes, or the want of any statement as aforesaid, and the mode by which he ascertained the number of votes given to each candidate. Return of candidate appearing to have majority.

(4.) Any person refusing or neglecting to attend on the summons of a returning officer issued under this article shall be guilty of an offence triable summarily and be liable to a penalty of two hundred dollars or to imprisonment for a term not exceeding two years, with or without hard labour. 63-64 V., (C.), c. 12, s. 88; 59 V., (Q.), c. 9, ss. 193, 194, 195. Not obeying summons an offence.

170. After transmitting his report, the returning officer shall deposit or cause to be deposited in the custody of the sheriff of the district or of the registrar of the registration division, in which the nomination was held, the ballot boxes used at the election; if he is the sheriff or registrar he keeps them in his possession as such. Deposit of ballot boxes with sheriff, etc.

The sheriff or registrar shall, at the next ensuing election, deliver such ballot boxes to the returning officer named for such election. 63-64 V., (C.), 12, s. 89; 59 V., (Q.), c. 9, ss. 202, 203. Subsequent use thereof.

§ 9.—*Recount and final addition by a judge.*

171. (1.) If, within four days after that on which the returning officer has made the addition of the votes for the purpose of declaring the candidate elected, it is made to appear, on the affidavit of a credible witness, to a judge of the Superior Court, ordinarily discharging his duties in the judicial district in which the electoral district or any part thereof is situated, or, in his absence, to any other judge of the same court, that a deputy returning officer at an election in such electoral district, in counting the votes,—(*a*) has improperly counted, or (*b*) has improperly rejected any ballot papers at such election, or (*c*) has made an incorrect statement of the number of ballot papers cast for any candidate, or (*d*) that the returning officer has improperly added up the votes,—and, if the applicant deposits within the said time with the prothonotary of the said Superior Court in the said judicial district, the sum of one hundred dollars, in legal tender or in the bills of any chartered bank doing business in Canada, as security for the costs, in connection with the recount or final addition, of the candidate appearing by the addition to be elected,—the said judge shall appoint a time, within four days after the receipt of the said affidavit by him, to recount the votes if the said application is made in relation to one of the first three grounds of application, or to make the final addition if the said application is made in relation to the last-mentioned ground of application, as the case may be. 63-64 V., (C.), c. 12, s. 90 § 1; 59 V., (Q.), c. 9, s. 204. Provision for recount or final addition of votes by a judge. Grounds for application. Security for costs. Time to be appointed.

(2.) The judge shall give notice in writing to the candidates or their agents of the time and place at which he will proceed to recount the votes, or to make such final addition, as the case may be; and the judge may, at the time of the application or afterwards, direct that service of the notice upon the candidates or their agents may be substitutional, or may be made by mail or by posting, or in such other manner as he thinks fit. 63-64 V., (C.), c. 12, s. 90, § 2; 59 V., (Q.), c. 9, s. 205. Notice. Service of notice.

(3.) The judge shall summon and command the returning officer and his election clerk to attend then and there with the parcels containing the ballot papers used at such election, or the original statements of the deputy returning officers, as the case may be, with respect to or in consequence of which such recount or final addition is to take place,—which command the returning officer and his election clerk shall obey. 63-64 V., (C.), c. 12, s. 90, § 3; 59 V., (Q.), c. 9, s. 205. Order of judge to returning officer, &c.

(4.) At such recount of votes or final addition by the judge, the returning officer and his election clerk shall be present, and each candidate shall be entitled to be represented by not more than three agents appointed to attend, and may himself be present if he desires; but in case any candidate is not represented, then any three electors may declare their desire to attend in his behalf and shall be entitled to attend; and, except with the sanction of the judge, no other person shall be present at such recount or final addition. 63-64 V., (C.), c. 12, s. 90, § 4; 59 V., (Q.), c. 9, s. 206. Who may be present at the recount or final addition.

(5.) At the time and place appointed, and in the presence of the said persons, if in attendance, the judge shall proceed to make such final addition in the manner prescribed by article 166, or to recount all the votes or ballot papers returned by the several deputy returning officers, as the case may be, and shall, in the latter case, open the sealed packets containing, (*a*) the used ballot papers which have been counted, (*b*) the rejected ballot papers, (*c*) the spoiled ballot papers, and no other ballot papers. 63-64 V., (C.), c. 12, s. 90, § 5; 59 V., (Q.), c. 9, s. 207. Making final addition or opening packets of ballots and recounting the votes.

(6.) The judge shall, as far as practicable, proceed continuously, except on Sunday, with the final addition or recount of the votes, allowing only time for refreshments, and excluding (except so far as he and the persons aforesaid agree) the hours between six o'clock in the afternoon and nine in the succeeding forenoon; and, during such excluded time and recess for refreshments, the judge shall place the ballot papers and other documents relating to the election closed under his own seal and the seal of such other of the said persons as desire to affix their seals, and shall otherwise take precautions for the security of such papers and documents. 63-64 V., (C.), c. 12, s. 90, §. 6; 59 V., (Q.), c. 9, s. 208. Day and hour on which recount shall take place. Packets sealed during adjournment.

(7.) The judge shall, in the case of a recount, proceed to recount the votes according to the rules set forth in article 160, and shall verify or correct the ballot paper account and statement of the number of votes given for each candidate; and, upon the completion of such recount, or as soon as he has so ascertained the result of the poll, he shall seal up all the said ballot Mode of proceeding with the recount.

papers in separate packets. 63-64 V., (C.), c. 12, s. 90, § 6; 1 Ed. VII, (C.) c. 16, s. 8; 59 V., (Q.), c. 9, s. 209.

Powers of judge.

(8.) The judge shall also, if necessary or required, review the decision of the returning officer with respect to the number of votes given for a candidate at any polling place, where the ballot box used was not forthcoming when he made his decision, or when the proper certificates or papers were not found therein; and for the purpose of arriving at the facts, shall have all the powers of a returning officer with regard to the attendance and examination of witnesses. 63-64 V., (C.), c. 12, s. 90, § 8.

Casting vote of returning officer.

(9.) The judge shall forthwith certify the result of the recount or final addition to the returning officer, who shall then declare to be elected the candidate having the highest number of votes; and, in case of an equality of votes, the returning officer shall at once give the casting vote. 63-64 V., (C.), c. 12, s. 90, § 9; 59 V., (Q.), c. 9, s. 209.

Return not be be made until judge's certificate is received.

(10.) The returning officer, after the receipt of notice from the judge of the recount or final addition, shall delay making his return to the Clerk of the Crown in Chancery until he receives a certificate from the judge of the result of such recount or final addition; and upon receipt of such certificate the returning officer shall proceed to make his return. 63-64 V., (C.), c. 12, s. 90, § 10; 59 V., (Q.), c. 9, s. 210.

As to costs and disposal of deposit.

(11.) If the recount or final addition does not so alter the result of the poll as to affect the election, the judge shall order the costs of the candidate appearing to be elected to be paid by the applicant; and the moneys deposited as security for costs shall be paid out to the said candidate on account thereof, so far as necessary; and the judge shall tax the costs on giving his decision; and if the deposit is insufficient, the party in whose favour costs are allowed shall have his action for the balance. 63-64 V., (C.), c. 12, s. 90, § 11; 59 V., (Q.), c. 9, s. 212.

How costs shall be taxed.

(12.) In taxing the costs the judge shall, as nearly as may be, follow the tariff of costs to be allowed with respect to proceedings in the Superior Court. 63-64 V., (C.), c. 12, s. 90, § 12.

Failure of the judge to act.

172. (1.) In case of any omission, neglect or refusal of the judge to comply with the foregoing provisions of the next preceding article, or to proceed with the recount or final addition therein provided for, then any party aggrieved may, within eight days thereafter, make application to a judge of the Court of King's Bench for an order commanding the judge to comply with such directions, and to proceed with and complete such recount or final addition.

Order of court for hearing.

(2.) Such application may be made upon affidavit, which need not be entitled in any matter or cause, setting forth the facts relating to such omission, refusal or neglect; and the judge, to whom the application is made, shall, if it appears that there is such omission, refusal or neglect, make an order appointing a time, within eight days, and a place for the consideration of such application, and directing the attendance of all parties interested at such time and place, and giving such directions for the service of the order, and of the affidavit or affidavits upon which the order was granted, upon the judge so alleged to be in default, and upon the other parties interested, as he thinks proper; and, if the circumstances appear to the judge to warrant it, he may direct that service upon any of such parties may be substitutional, or may be made by mail, or by posting, or in such other manner as he thinks fit.

Notice to judge and others.

Affidavits may be filed.

(3.) The judge complained of, or any of the parties interested, may file in the office of the clerk, registrar or prothonotary of the court, to a judge of which the application is made, affidavits in reply to those filed by the applicant, and upon demand shall furnish him with copies thereof.

Order of judge after hearing.

(4.) At the time and place appointed by the judge or at any other time and place to which the hearing may be adjourned, after hearing the parties, or such of them as are present, or their counsel, the judge or some other judge of the same court, shall make such order as the facts of the case in the opinion of the judge warrant, either dismissing the application or commanding the judge in default to take such action as is necessary in order to a compliance with the directions of this article, and to proceed with and complete such recount or final addition as aforesaid; and the judge may make such order as to costs as he thinks proper.

Judge to obey order.

Costs.

(5.) A judge so found to be in default as aforesaid shall forthwith carry out the directions of any order so made; and there shall be the same remedies for the recovery of the costs awarded by such order as for that of the costs in ordinary cases in the same court. 63-64 V., (C.), c. 12, s. 91.

§ 10.—*Election return.*

Return of candidate elected.

173. (1.) The returning officer shall, immediately after the sixth day after the final addition by him under article 166, or the ascertainment by him under article 169 of the number of votes given for each candidate, unless before that time he receives notice that he is required to attend before a judge for the purpose of a recount or final addition by such judge of the votes given at the election, and, where there has been a recount or final addition by the judge, immediately thereafter, transmit his return to the Clerk of the Crown in Chancery that the candidate having the largest number of votes has been duly elected: and he shall forward to each of the candidates a duplicate or copy of the certificate of election, in the form CC. 63-64 V., (C.), c. 12, s. 92, § 1; 59 V., (Q.), c. 9, s. 198, § 1 and s. 211.

Report by returning officer.

(2.) The returning officer shall accompany his return to the Clerk of the Crown in Chancery with a report of his proceedings, in which report he shall make any observations he thinks proper as to the state of the ballot boxes or ballot papers as received by him. 63-64 V., (C.), c. 12, s. 92, § 2; 59 V., (Q.), c. 9, s. 199.

Certain documents to be sent with return.

(3.) The returning officer shall also transmit to the Clerk of the Crown in Chancery the writ, with his return, all the ballot papers, including those unused, the original statements of the several deputy returning officers, hereinbefore referred to, together with the lists of electors and poll books used in the several polling divisions, and all other lists and documents used or required at such election, or which have been transmitted to him by the deputy returning officers. 63-64 V., (C.), c. 12, s. 92, § 3; 59 V., (Q.), c. 9, s. 200.

How sent.

(4.) Such return and report are sent through the post office, after being registered, or by express, charges paid 63-64 V., (C.), c. 12, s. 92, § 4; 59 V., (Q.), c. 9, s. 201.

(5.) In the event of the returning officer making a return and report to the Clerk of the Crown in Chancery not complying with the provisions of this article or article 171, or making a return and report pending an application under article 172, the Clerk of the Crown in Chancery shall return the said report and return, together with all ballot papers, to the returning officer on presentation of an order signed by any judge who has jurisdiction under the latter article. 63-64 V., (C.), c. 12, s. 92, § 5; 59 V., (Q.), c. 9, s. 210, § 2. If return is irregular.

174. If any returning officer wilfully delays, neglects or refuses duly to return any person who ought to be returned to serve in the Legislative Assembly for any electoral district, such person may, if it has been determined on the hearing of an election petition respecting the election for such electoral district that such person was entitled to have been returned, sue the returning officer who has so wilfully delayed, neglected or refused duly to make such return of his election, in the Superior Court of the judicial district in which such electoral district is situate wholly or partly, and recover from him a sum of five hundred dollars, together with all damages he has sustained by reason thereof, and costs; provided that such action is commenced within one year after the commission of the act on which it is grounded, or within six months after the conclusion of the proceedings had upon the petition relating to such election. 63-64 V., (C.), c. 12, s. 93; 59 V., (Q.), c. 9, s. 233. Liability of returning officer not returning candidates elected. Proviso.

175. The Clerk of the Crown in Chancery shall, on receiving the return of any member elected to the Legislative Assembly, enter it in a book to be kept by him for such purpose in the order in which such return is received by him, and thereupon immediately give notice in the ordinary issue of the "Quebec Official Gazette" of the name of the candidate so elected and in the order in which it was received. 63-64 V., (C.), c. 12, s. 94; 59 V., (Q.), c. 9, s. 213. Publication of the election.

176. The Clerk of the Crown in Chancery shall, subject to the provisions of paragraph 5 of article 173 and of article 180, retain in his possession the papers transmitted to him by any returning officer, with the return, for at least one year, if the election is not contested during that time, and if the election is contested, then for one year after the termination of such contestation. 63-64 V., (C.), c. 12, s. 95; 59 V., (Q.), c. 9, s. 214. Duty of clerk of the Crown in Chancery as to retention of papers, &c.

§ 11.—*Secrecy of voting.*

177. (1.) Every candidate, officer, clerk and agent in attendance at a polling place shall maintain and aid in maintaining the secrecy of the voting at such polling place; and no such candidate, officer, clerk or agent shall, before the poll is closed, communicate to any person any information as to whether any person on the list of electors has or has not applied for a ballot paper or voted at that polling place. 63-64 V., (C.), c. 12, s. 96, § 1; 59 V., (Q.), c. 9, s. 174. Secrecy during poll.

(2.) No candidate, officer, clerk, agent or other person shall interfere with, or attempt to interfere with an elector when marking his ballot paper, or otherwise attempt to obtain at the polling place information as to the candidate for whom any elector at such polling place is about to vote or has voted. 63-64 V., (C.), c. 12, s. 96, § 2; 59 V., (Q.), c. 9, s. 172. Interfering with voter marking ballot paper.

(3.) No elector shall, except in the case provided for in article 152, show his ballot paper, when marked, to any person so as to allow the name of the candidate for whom he votes to be known. 63-64 V., (C.), c. 12, s. 96, § 3; 59 V., (Q.), c. 9, s. 171. Ballot paper not to be displayed.

(4.) No person shall, directly or indirectly, induce or endeavour to induce any elector to show his ballot paper after he has marked it so as to make known to any person the name of the candidate for or against whom he has so marked his vote. 63-64 V., (C.), c. 12, s. 96, § 4; 59 V., (Q.), c. 9, s. 171. Inducing voter to display ballot-paper.

(5.) No candidate, officer, clerk, agent or other person shall communicate at any time to any person any information obtained at a polling place as to the candidate for whom any elector at such polling place is about to vote or has voted. 63-64 V., (C.), c. 12, s. 96, § 6; 59 V., (Q.), c. 9, s. 175. Vote not to be disclosed.

(6.) Every candidate, officer, clerk and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting; and no such candidate, officer, clerk or agent shall attempt to obtain at such counting any information or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. 63-64 V., (C.), c. 12, s. 96, § 7; 59 V., (Q.), c. 9, s .191. Secrecy respecting counting of votes.

(7.) Every one who violates any of the provisions of this article shall be guilty of an offence triable summarily and be liable to a penalty not exceeding two hundred dollars, and imprisonment for any term not exceeding six months, with or without hard labour, in default of payment of such penalty. 63-64 V., (C.), c. 12, s. 96, § 8; 59 V., (Q.), c. 9, s. 176. Penalty.

178. No person who has voted at an election shall, in any legal proceeding questioning the election or return, be required to state for whom he voted. 63-64 V., (C.), c. 12, s. 97; 59 V., (Q.), c. 9, s. 178. Secrecy of vote protected.

179. The Clerk of the Crown in Chancery shall deliver, on application to that end and on payment of a fee of ten cents per hundred words, certified copies of all writs, poll books, reports, returns or other documents in his possession concerning any election, except ballot papers. Clerk of the Crown in Chancery to give copies of papers on payment of fees.

Each copy thus certified shall be *primâ facie* proof before every judge, election court, and tribunal in the province. 59 V., (Q.), c. 9, s. 215. Copies *primâ facie* proof.

180. Except as provided by paragraph 5 of article 173 of this Act, no person shall be allowed to inspect any ballot paper in the custody of the Clerk of the Crown in Chancery, except under the rule or order of the Superior Court or a judge thereof,—which rule or order may be granted by such court or judge, on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to such ballot papers, or for the purpose of a petition which has been filed questioning an election or return; and any such rule or order for the Inspection of ballot papers in custody of Clerk of the Crown in Chancery.

inspection or production of ballot papers may be made subject to such conditions as to persons, time, place and mode of inspection or production as the court or judge thinks expedient, and shall be obeyed by the Clerk of the Crown in Chancery. 63-64 V., (C.), c. 12, s. 98; 59 V., (Q.), c. 9, s. 216.

§ 12.—*Keeping the peace and good order at elections.*

Returning officer and deputy returning officer conservators of the peace.

181. Each returning officer and each deputy returning officer, from the time he takes the oath of office until the day after the closing of the election, shall be a conservator of the peace, invested with all the powers appertaining to a justice of the peace. 63-64 V., (C.), c. 12, s. 99; 59 V., (Q.), c. 9, s. 234.

May require aid and swear in constables.

182. Every returning officer or deputy returning officer may require the assistance of justices of the peace, constables or other persons present, to aid him in maintaining peace and good order at such election; and may also, on a requisition made in writing by any candidate, or by his agent, or by any two electors, swear in such special constables as he deems necessary. 63-64 V., (C.), c. 12, s. 100; 59 V., (Q.), c. 9, s. 235.

Arrest of offenders.

183. Every returning officer or deputy returning officer may arrest or cause by verbal order to be arrested, and place in the custody of any constables or other persons, any person disturbing the peace and good order at the election, and may cause such person to be imprisoned under an order signed by him until an hour not later than the close of the poll. 63-64 V., (C.), c. 12, s. 101; 59 V., (Q.), c. 9, s. 236.

Carrying arms forbidden.

184. The returning officer or deputy returning officer may, during the nomination day and polling day at any election, require any person within half a mile of the place of nomination or of the polling station to deliver to him any firearm, sword, stave, bludgeon or other offensive weapon in the hands or personal possession of such person; and every person who refuses to deliver such weapon shall be guilty of an offence summarily triable, and be liable to

Penalty.

a penalty not exceeding one hundred dollars, and, in default of payment of such penalty, to imprisonment for a term not exceeding three months. 63-64 V., (C.), c. 12, s. 102; 59 V., (Q.), c. 9, s. 237.

Strangers not to enter polling districts armed.

185. Except the returning officer, the deputy returning officer, the poll clerk and the constables and special constables appointed by the returning officer or the deputy returning officer for the orderly conduct of the election or poll and the preservation of the public peace thereat, no person, who has not had a stated residence in the polling division for at least six months next before the day of such election, shall come during any part of the day upon which the poll is to remain open into such polling division armed with offensive weapons of any kind, such as firearms, swords, staves, bludgeons or the like; and no person being in such polling division shall arm himself, during any part of the day, with any such offensive weapon, and thus armed approach within the distance of one mile of the place where the poll of such polling division is held, unless called upon so to do by lawful authority. 63-64 V., (C.), c. 12, s. 103; 59 Vic., (Q.), c. 9, ss. 238, 239, 240.

Flags, &c., not to be furnished or carried.

186. No person shall furnish or supply any ensign, standard or set of colours, or any other flag, to or for any person with intent that it shall be carried or used in such electoral district on the day of election, or within eight days before such day, or during the continuance of such election or the polling, by any person, as a party flag to distinguish the bearer thereof and those who follow it as the supporters of any candidate, or of the political or other opinions entertained, or supposed to be entertained, by such candidate; and no person shall, for any reason, carry or use any such ensign, standard, set of colours or other flag, as a party flag, within such electoral district on the day of any such election or polling or within eight days before such day, or during the continuance of such election. 63-64 V., (C.), c. 12, s. 104; 59 V., (Q.), c. 9, ss. 241, 242.

Ribbons or favors not to be furnished, &c.

187. No person shall furnish or supply any ribbon, label or like favour to or for any person with intent that it be worn or used within such electoral district on the day of election or polling, or within eight days before such day, or during the continuance of such election, by any person, as a party badge to distinguish the wearer as the supporter of any candidate, or of the political or other opinions entertained, or supposed to be entertained, by such candidate; and no person shall use or wear any ribbon, label, or other favour, as such badge, within such electoral district, on the day of any such election or polling, or within eight days before such day, during the continuance of such election. 63-64 V., (C.), c. 12, s. 105; 59 V., (Q.), c. 9, ss. 241, 242.

Punishment for contravention.

188. Every one who offends against any of the provisions of the three articles next preceding is guilty of an offence triable summarily, and is liable to a penalty not exceeding one hundred dollars, or to imprisonment for a term not exceeding three months, or to both, in the discretion of the court. 63-64 V., (C.), c. 12, s. 106; 59 V., (Q.), c. 9, s. 244.

Hotel bars, &c., to be closed.

189. No person shall keep open any bar in a hotel or club, any hotel, tavern, shop or store, whether licensed or not, in which spirituous or fermented liquors or drinks are ordinarily sold, during the day of voting in the voting subdivisions or wards of a city in which the polls are situated, under a penalty of being guilty of an offence triable summarily and being liable to

Penalty in default.

a fine of one hundred dollars, and imprisonment not exceeding six months in default of payment. 59 V., (Q.), c. 9, s. 245.

Liquor not to be supplied during certain days.

190. On the day of the polling in cities, and on the day of the polling and the previous day everywhere else, no person shall, within the limits of an electoral district where an election is held, under penalty of being guilty of an offence triable summarily and being liable to a fine of one hundred dollars and an imprisonment not exceeding six months in default of payment, either sell for a price in money or in exchange for any article whatever, or lend or deliver, or gratuitously supply any quantity whatever of spirituous or fermented liquor; the only exception to this provision, the burden of proof whereof is upon the accused, is established in favour

Exception.

of the sick, in which case the liquor can only be sold, lent, delivered or supplied upon the certificate of a priest or minister of some religious denomination, or of a physician; and whoever

Penalty for false certificate.

shall give or deliver a false certificate in respect thereof shall be guilty of an offence summarily triable and be liable to a fine of one hundred dollars, and, in default of payment, to imprisonment not exceeding one month. 59 V., (Q.), c. 9, s. 246.

191. During the days mentioned in article 190, and under the same penalties, but subject to the same exceptions in case of sickness, it is forbidden to cause to be brought or transported, or to bring or transport, within the limits of the electoral district within which an election is held, or from one place to another within the said limits, any quantity whatever of spirituous or fermented liquor. Liquor not to be brought into an electoral district during an election.

This provision shall not affect the sale, transport, delivery or purchase of spirituous or fermented liquor, made in good faith and in the ordinary course of affairs by a merchant or trader; provided that the cases, casks, bottles or envelopes containing the said liquor be not opened, broken or unclosed during the days above mentioned. 59 V., (Q.), c. 9, s. 247. Exception for merchants. Restriction.

192. No person shall lease or let, as a place of assembly for an election committee or election meeting, any house, part of a house or place in which are retailed spirituous or fermented liquors, or in which food and drink is ordinarily supplied for payment, or make use of any such places for that purpose, under penalty of being guilty of an offence triable summarily and of being liable to a fine not exceeding one hundred dollars, and of an imprisonment not exceeding three months in default of payment. 59 V., (Q.), c. 9, s. 249. Certain places not to be used as committee rooms, &c. Penalty.

§ 13.—*Corrupt practices and other illegal acts.*

193. The following persons are guilty of bribery and shall be punishable accordingly:— Bribery:

(*a.*) every person who, directly or indirectly, by himself or by any other person on his behalf, gives, lends or agrees to give or lend, or offers or promises any money or valuable consideration, or promises to procure or to endeavour to procure, any money or valuable consideration, to or for any elector, or to or for any person on behalf of any elector, or to or for any person, in order to induce any elector to vote, or refrain from voting, or corruptly does any such act on account of such elector having voted or refrained from voting at any election; 63-64 V., (C.), c. 12, s. 108, § (*a*); 59 V., (Q.), c. 9, s. 253, § (*a*). Gift, loan, valuable consideration, &c., to induce to vote or refrain from voting.

(*b.*) every person, who directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers or promises any office, place or employment, or promises to procure or to endeavour to procure any office, place or employment, to or for any elector, or to or for any other person, in order to induce such elector to vote, or refrain from voting, or corruptly does any such act as aforesaid, on account of any elector having voted or refrained from voting at any election; 63-64 V., (C.), c. 12, s. 108, § (*b*); 59 V., (Q.), c. 9, s. 253, § (*b*). Gift or promise of office, &c., with same view.

(*c.*) every person, who, directly or indirectly, by himself or by any other person on his behalf, makes any gift, loan, offer, promise, procurement or agreement as aforesaid, to or for any person, in order to induce such person to procure or endeavour to procure the return of any person to serve in the Legislative Assembly, or the vote of any elector at any election; 63-64 V., (C.), c. 12, s. 108, § (*c*); 59 V., (Q.), c. 9, s. 253, § (*c*). Same act to promote an election.

(*d.*) every person who, upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures or engages, or promises or endeavours to procure the return of any person to serve in the Legislative Assembly, or the vote of any elector at an election; 63-64 V., (C.), c. 12, s. 108, § (*d*); 59 V., (Q.), c. 9, s. 253 (*d*). Work at such election by reason of such acts.

(*e.*) every person who advances or pays, or causes to be paid, any money to or to the use of any other person, with the intent that such money or any part thereof shall be expended in bribery or corrupt practices at any election, or who knowingly pays or causes to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery or corrupt practices at any election; 63-64 V., (C.), c. 12, s. 108, § (*e*); 59 V., (Q.), c. 9, s. 253, § (*e*). Advance or payment of money to corrupt.

(*f.*) every person who, directly or indirectly, by himself or by any other person on his behalf, on account of and as payment for voting or for his having voted, or for illegally agreeing or having agreed to vote for any candidate at an election, or on account of and as payment for his having illegally assisted or agreed to assist any candidate at an election, applies to such candidate, or to his agent or agents, for the gift or loan of any money or valuable consideration, or for the promise of the gift or loan of any money or valuable consideration, or for any employment, or the promise of any employment; 63-64 (C.), c. 12, s. 108, § (*f*). Demanding bribe of candidate or agent.

(*g.*) every elector who, before or during any election, directly or indirectly, by himself, or by any other person on his behalf, receives, agrees or contracts for any money, gift, loan or valuable consideration, office, place or employment, for himself or any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting at any election; 63-64 V., (C.), c. 12, s. 108, § (*g*); 59 V., (Q.), c. 9, s. 255, § 1. Receiving money, &c., before or during an election.

(*h.*) every person who, after an election, directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration for having voted or refrained from voting, or for having induced any other person to vote or refrain from voting at any election; 63-64 V., (C.), c. 12, s. 108, § (*h*); 59 V., (Q.), c. 9, s. 255, § 2. Or after an election.

(*i.*) every person who, to induce a person to allow himself to be nominated as a candidate, or to refrain from becoming a candidate, or to withdraw if he has become a candidate, gives or procures any office, place or employment, or agrees to give or procure, or offers or promises to procure, or endeavours to procure any office, place or employment for such person or any other person; 63-64 V., (C.), c. 12, s. 108, § (*i*); 59 V., (Q.), c. 9, ss. 256, 257. Bribery of candidates.

(*j.*) any candidate or his agent who takes any bet or wager concerning or in relation to any election with a qualified elector, as also, such elector and any other person who furnishes money for such purposes; Taking bets, &c.

And every person so offending is guilty of an offence triable summarily and liable for a term of imprisonment not exceeding six months and shall also forfeit the sum of two hundred dollars, to any person who sues therefor, with costs. Penalty.

Certain expenses to be held lawfully incurred.

194. The actual personal expenses of any candidate, however, his expenses for actual professional services performed, and *bonâ fide* payments for the fair costs of printing and advertising, and the other expenses incurred by reason of the election which are not prohibited by law, shall be held to be expenses lawfully incurred, and the payment thereof shall not be a violation of this Act. 63-64 V., (C.), c. 12, s. 108, § (*i*); 59 V., (Q.), c. 9, ss. 254, 258.

Treating by a Candidate, &c.

195. Every candidate who corruptly, by himself or by or with any other person, or by any other ways or means on his behalf, at any time, either before or during any election, directly or indirectly gives or provides, or causes to be given or provided, or is accessory to the giving or providing, or pays wholly or in part any expenses incurred for any meat, drink, refreshment or provision to or for any person, in order to be elected or for being elected, or for the purpose of corruptly influencing such person or any other person to give or refrain from giving his vote at such election, is guilty of the offence of "treating," and shall forfeit the sum of two hundred dollars to any person who sues therefor, with costs, in addition to any other penalty to which he is liable therefor under any other provision of this Act; and, on the trial of an election petition, there shall be struck off from the number of votes given for such candidate one vote for every person who has so voted and is proved on such trial to have corruptly accepted or taken any such meat, drink, refreshments or provisions. 63-64 V., (C.), c. 12, s. 110; 59 V., (Q.), c. 9, ss. 260, 263.

Penalty.

Votes to be struck off on trial of election petition.

Penalty on elector accepting drinks, &c.

196. Every elector, who, with a corrupt motive, accepts or takes any such meat, drinks, refreshments or provisions, is also guilty of the offence of "treating," and is liable to a fine not exceeding fifty dollars and not less than ten dollars, and an imprisonment of three months in default of payment. 59 V., (Q.), c. 9, s. 261.

Treating elector by any person on nomination or polling day.

197. The giving or causing to be given to any elector on the nomination day or day of polling, on account of such elector having voted or being about to vote, any meat, drink or refreshment, or any money or ticket to enable such elector to procure refreshment, shall be deemed an unlawful act; and the person so offending shall forfeit the sum of ten dollars for each offence to any person who sues therefor, with costs. 63-64 V., (C.), c. 12, s. 111; 59 V., (Q.), c. 9, s. 262.

Penalty.

Threats.

198. Every one who, directly or indirectly, by himself or by any other person on his behalf, makes use of, or threatens to make use of, any force, violence or restraint, or inflicts, or threatens the infliction, by himself, or by or through any other person, of any injury, damage, harm or loss, or in any manner practises intimidation upon or against any person, in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election,—or who, by abduction, duress or any fraudulent device or contrivance, impedes, prevents or otherwise interferes with the free exercise of the franchise of any elector, or thereby compels, induces or prevails upon any elector either to give or refrain from giving his vote at any election, shall be deemed to have committed the offence of "undue influence," and shall, in addition to any penalty thereby incurred, forfeit the sum of two hundred dollars to any person who sues therefor, with costs. 63-64 V., (C.), c. 12, s. 112; 59 V., (Q.), c. 9, s. 266.

Penalty.

Conveyance of voters.

199. The hiring or promising to pay or paying for any horse, team, carriage, cab or other vehicle, by any candidate or by any person on his behalf, to convey any electors to or from the poll, or to or from the neighbourhood thereof, at any election, or the payment, by any candidate or by any person on his behalf, of the travelling and other expenses of any elector, in going to or returning from any election, are unlawful acts; and every candidate or other person so offending shall forfeit the sum of one hundred dollars to any person who sues therefor, with costs; and any elector hiring any horse, cab, cart, waggon, sleigh, carriage or other conveyance for any candidate, or for any agent of a candidate, for the purpose of conveying any electors to or from the polling place or places, shall, *ipso facto*, be disqualified from voting at such election, and shall for every such offence, forfeit the sum of one hundred dollars to any person who sues therefor, with costs. 63-64 V., (C.), c. 12, s. 113; 59 V., (Q.), c. 9, ss. 270, 271.

Penalty.

Personation.

200. Every person who, at an election,—

(*a.*) applies for a ballot paper in the name of some other person, whether such name is that of a person living or dead, or of a fictitious person; or—

(*b.*) having voted once at any such election, applies at the same election for a ballot paper in his own name—

Penalty.

is guilty of "personation" and liable to a penalty not exceeding two hundred dollars and not less than fifty dollars and to imprisonment for a term not exceeding two years and not less than three months. 63-64 V., (C.), c. 12, s. 114; 59 V., (Q.), c. 9, s. 268, §§ 1, 2, s. 279, §§ 2, 3.

Aiding personation.

201. Every person who aids, abets, counsels or procures the commission by any person of the offence of "personation" shall be liable to a penalty not exceeding two hundred dollars and not less than one hundred dollars, and to imprisonment for a term not exceeding two years and not less than three months. 63-64 V., (C.), c. 12, s. 115; 59 V., (Q.), c. 9, s. 268, § 3.

Penalty.

Subornation of perjury, &c.

202. Every candidate who corruptly, by himself or by or with any other person on his behalf, compels or induces or endeavours to induce any person to personate any elector, or to take any false oath in any matter wherein an oath is required under this act shall, in addition to any other punishment, forfeit the sum of two hundred dollars to any person who sues therefor, with costs. 63-64 V., (C.), c. 12, s. 116; 59 V., (Q.), c. 9, s. 267.

Penalty.

Voting, &c., when not qualified.

203. Every person who votes or induces or procures any person to vote at an election, knowing that he or such person is not entitled to vote thereat, is guilty of an unlawful act, and shall also forfeit the sum of one hundred dollars to any person who sues therefor, with costs; and in any suit for the recovery of the penalty, the burden of the proof of such person being entitled to vote at the election shall be upon him and not upon the person suing. 63-64 V., (C.), c. 12, s. 117; 59 V., (Q.), c. 9, s. 273.

Penalty.

Burden of proof in prosecutions.

204. Any person who, before or during an election, knowingly publishes a false statement of the withdrawal of a candidate at such election, for the purpose of promoting or procuring the election of another candidate, is guilty of an unlawful act, and shall also forfeit the sum of one hundred dollars to any person who sues therefor, with costs. 63-64 V., (C.), c. 12, s. 118; 59 V., (Q.), c. 9, s. 275, § 1.

Penalty on persons publishing false rumour as to resignation of candidate.

205. A candidate shall not be liable, nor shall his election be avoided, for any unlawful act under the two preceding articles committed by an agent other than his agent appointed under the provisions of article 229. 63-64 V., (C.), c. 12, s. 119; 59 V., (Q.), 12, c. 9, s. 275, § 2.

Liability for acts of agents.

206. Any wilful offence against any one of articles 193, 195, 197, 198, 199, 200, 201, 202, 203, 204, 229 § 1, and 232 § 4 of this Act, is a "corrupt practice" within the meaning of this Act. 63-64 V., (C.), c. 12, s. 120; 59 V., (Q.), c. 9, s. 252.

Certain offences to be corrupt practices.

207. Every executory contract, or promise, or undertaking, in any way referring to, arising out of, or depending upon any election under this Act, even for the payment of lawful expenses, or the doing of some lawful act, shall be void in law. 63-64 V., (C.), c. 12, s. 121; 59 V., (Q.), c. 9, s. 276.

Contracts or promises relating to election void.

208. If, on the trial of an election petition, claiming the seat for any person, a candidate is proved to have been guilty, by himself or by any person on his behalf, of bribery, treating, or undue influence with respect to any person who voted at such election, there shall, on the trial of such election petition, be struck off from the number of votes appearing to have been given to such candidate, one vote for every person who voted at such election, and who is proved to have been so bribed, treated or unduly influenced, as aforesaid. 63-64 V., (C.), c. 12, s. 122; 59 V., (Q.), c. 9, s. 272.

Votes to be struck off candidate for bribery, &c., in certain cases.

209. If it is found by the report of any court, judge or other tribunal for the trial of election petitions, that any corrupt practice has been committed by a candidate at an election, or by his agent, whether with or without the actual knowledge and consent of such candidate, the election of such candidate, if he has been elected, shall be void, saving the provisions of article 213. 63-64 V., (C.), c. 12, s. 123; 59 V., (Q.), c. 9, s. 280.

Corrupt practice by candidate or his agent to void election.

210. If, on the trial of an election petition, a candidate is proved to have personally engaged any person at the election to which such petition relates, as a canvasser or agent in relation to the election, knowing that such person so engaged has, within three years previous to such engagement, been found guilty of any corrupt practice, by any competent legal tribunal, or by the report of any judge or other tribunal for the trial of election petitions, the election of such candidate, if he has been elected, shall be void. 63-64 V., (C.), c. 12, s. 124; 59 V., (Q.), c. 9, s. 281.

Effect of employing a disqualified canvasser, &c., at any election.

211. The provisions of the three articles next preceding shall not, except as to the personal acts of the candidates and the acts of agents of candidates done with the knowledge and consent of such candidates, apply to any case by reason of any acts done at any election other than the election to which the petition relates. 63-64 V., (C.), c. 12, s. 125.

Effect of corrupt practices and illegal acts at previous elections.

212. If, on the trial of an election petition, it is proved that any corrupt practice has been committed by or with the actual knowledge and consent of a candidate at an election, or if he is convicted before any competent court of bribery or undue influence, he shall be held guilty of corrupt practices, and his election, if he has been elected, shall be void; and he shall, during the six years next after the date of his being so proved or found guilty, be incapable of being elected to and of sitting in the Legislative Assembly, and of voting at any election of a member of that House, or of holding an office in the nomination of the Crown or of the Lieutenant-Governor in the Province.

Effect of corrupt practice by a candidate.

The election shall not, however, be annulled and the candidate cannot be disqualified unless such corrupt practice be established by at least two witnesses. 63-64 V., (C.), c. 12, s. 126; 59 V., (Q.), c. 9, s. 277.

Evidence required in such case.

213. If it appears to the said court that the act committed by such candidate or with his knowledge and consent, and which is under the letter of the law a corrupt practice, was so committed through ignorance or inadvertence, without any corrupt intent, involuntarily, and was excusable, and the offence or offences are of no great gravity, and could not have affected the result of the election, and that it is proved that the candidate had, in good faith, as far as possible, taken all reasonable precautions to honestly carry out the election according to the prescriptions of the law, such candidate shall not be liable to any of the penalties enacted by article 212, and the election of such candidate shall not by reason of such offences, be annulled. 59 V., (Q.), c. 9, s. 278.

If corrupt practice committed ignorantly.

214. If, on the trial of an election petition, a candidate or other person is found by the report of the judge, by himself or his agents with his actual knowledge and consent, to have aided, abetted, counselled or procured the commission at such election of the offence of personation by any person, his election, if he has been elected, shall be declared null and void; and such candidate or such other person shall be incapable of being elected or sitting in the Legislative Assembly for any electoral district during the six years next after the date of his being so proved or found guilty and of voting at any election of a member of that House, or of holding any office in the nomination of the Crown or of the Lieutenant-Governor in the Province. 63-64 V., (C.), c. 12, s. 128.

Disqualification of candidates guilty of certain offences.

215. Every person, other than a candidate, found guilty of any corrupt practice in any proceeding in which, after notice of the charge, he has had an opportunity of being heard, shall, during the six years next after the time at which he is found guilty, be incapable of being elected to and of sitting in the Legislative Assembly, and of voting at any election of a member of that House, or of holding any office in the nomination of the Crown or of the Lieutenant-Governor in the Province. 63-64 V., (C.), c. 12, s. 129; 59 V., (Q.), c. 9, s. 282.

Disqualification of persons other than candidates for corrupt practices

216. If, after a person has become disqualified under this Act, the witnesses, or any of them, on whose testimony such person has so become disqualified, are convicted of perjury with respect to such testimony, such person may move the court before which such conviction takes place to order, and such court shall, upon being satisfied that such disqualification was procured by reason of such perjury, order that such disqualification shall thenceforth cease and

Removal of disqualification procured by perjury.

determine; and it shall cease and determine accordingly. 63-64 V., (C.), c. 12, s. 130; 59 V., (Q.), c. 9, s. 283.

SECTION V.

Election Expenses.

No payment to be made except through authorized agent.

229. (1.) No payment, (except with respect to the deposit required upon nomination and the personal expenses of a candidate), and no advance, loan or deposit, shall be made by or on behalf of any candidate at any election, before, during or after such election, on account of such election, otherwise than through an agent or agents whose name or names and address or addresses have been declared in writing to the returning officer on or before the nomination day, or through an agent or agents to be appointed in his or their place, as herein provided; and any person who makes any such payment, advance, loan or deposit, otherwise than through such agent or agents, is liable to a fine not exceeding four hundred dollars, and an imprisonment of not more than six months in default of payment. 63-64 V., (C.), c. 12, s. 143, § 1; 59 V., (Q.), c. 9, s. 289.

Names of agents to be published.

(2.) The returning officer shall publish, on or before the nomination of the candidates, the name and address or the names and addresses of the agent or agents appointed in pursuance of this article. 63-64 V., (C.), c. 12, s. 143, § 2; 59 V., (Q.), c. 9, s. 290.

If agent cannot act.

(3.) In the event of the death or legal incapacity of any agent appointed in pursuance of this article, the candidate shall forthwith appoint another agent in his place, giving notice to the returning officer of the name and address of the person so appointed, which shall be forthwith published by the returning officer as hereinbefore provided. 63-64 V., (C.), c. 12, s. 143, § 3; 59 V., (Q.), c. 9, s. 291.

Bills and claims to be sent in within one month, or right to be barred.

230. (1.) All persons who have any bills, charges or claims upon any candidate for or in relation to any election, shall send in such bills, charges or claims within one month after the day of the declaration of the election, to the agent or agents of the candidate; otherwise such persons shall be barred of their right to recover such claims or any part thereof. 63-64 V., (C.), c. 12, s. 144, § 1; 59 V., (Q.), c. 9, s. 298.

Case of death of claimant.

(2.) In the event of the death, within the said month, of any person claiming the amount of any such bill, charge or claim, the legal representative of such person shall send in such bill, charge or claim within one month after his becoming able to act as such legal representative, otherwise the right to recover such claim shall be barred as aforesaid. 63-64 V., (C.), c. 12, s. 144, § 2; 59 V., (Q.), c. 9, s. 299.

If there is no agent.

(3.) Such bills, charges and claims may be sent in to the candidate, if and so long as during the said month, owing to death or legal incapacity, there is no such agent. 63-64 V., (C.), c. 12, s. 144, § 3; 59 V., (Q.), c. 9, s. 299.

Candidate to authorize payment.

(4.) No such bill, charge or claim shall be paid without the authority of the candidate, as well as the approval of the agent. 63-64 V., (C.), c. 12, s. 144, § 4.

Payment of lawful claims sent in after one month.

231. (1.) Notwithstanding anything in the next preceding article, a claim for lawful election expenses, which would have been payable if sent in within the time limited by that article, may be paid by the candidate, through his election agent, after that time, if it is approved by a judge competent to recount or make a final addition of the votes at the election, and the judge makes an order for the payment thereof.

Notice.

(2.) All sums so allowed by the judge shall, within one week thereafter, be advertised in the same papers as the statement of the other election expenses. 63-64 V., (C.), c. 12, s. 145.

Statement of expenses to be made out by agent.

232. (1.) A detailed statement of all election expenses incurred by or on behalf of any candidate, including payments to be made as aforesaid, shall, within two months after the election (or whenever by reason of the death of the creditor no bill has been sent in within such period of two months, then within one month after such bill has been sent in), be made out and signed by the agent, or if there is more than one, by every agent who has paid such expenses (including the candidate in cases of payments made by him) and delivered with the bills and vouchers relative thereto to the returning officer. 63-64 V., (C.), c. 12, s. 146, § 1; 59 V., (Q.), c. 9, s. 303.

To be published by returning officer.

(2.) The returning officer shall, at the expense of the candidate, within fourteen days after receiving such statement, insert or cause to be inserted an abstract thereof, with the signature of the agent thereto, in the "Quebec Official Gazette," and in some newspaper indicated by the candidate published or circulating in the electoral district where the election was held. 63-64 V., (C.), c. 12, s. 146, § 2; 59 V., (Q.), c. 9, s. 307.

Penalty for default.

(3.) Any agent or candidate who makes default in delivering to the returning officer the statements required by this article shall incur a penalty not exceeding twenty dollars for every day during which he so makes default. 63-64 V., (C.), c. 12, s. 146, § 3; 59 V., (Q.), c. 9, s. 304.

Penalty for false statement.

(4.) Any agent or candidate who wilfully furnishes to the returning officer any untrue statement is guilty of an offence triable summarily and is liable to a fine of two hundred dollars and imprisonment not exceeding six months in default of payment. 63-64 V., (C.), c. 12, s. 146, § 4; 59 V., (Q.), c. 9, s. 305.

Bills, &c., to be preserved.

(5.) The returning officer shall preserve all such bills and vouchers, and during the six months next after they have been delivered to him shall permit any voter to inspect and examine them on payment of a fee of twenty cents. Upon the expiration of this delay, he shall return them to the candidate, upon his request, unless there is a contestation of the election pending. 63-64 V., (C.), c. 12, s. 146, § 5; 59 V., (Q.), c. 9, s. 306.

SECTION VI.

Fees and Expenses of Returning Officers and Others.

Fees for services and disbursements.

233. The fees and expenses in schedule two to this Act mentioned, and no others, shall be allowed to the several officers therein mentioned, respectively, for their services and disbursements at any election. 63-64 V., (C.), c. 12, s. 147, § 1; 59 V., (Q.), c. 9, s. 326.

234. The Lieutenant-Governor in Council may, if he is of opinion that the fees and allowances mentioned in schedule two to this Act are not sufficient for the services required in the electoral districts of Gaspé, of Chicoutimi and Saguenay and of the Magdalen Islands, authorize the payment of such additional sums as he shall deem just. 59 V., (Q.), c. 9, s. 327. Additional fees for certain electoral districts.

235. The Lieutenant-Governor in Council may, if he deems the tariff prescribed by article 233 not suitable or sufficient, make a new tariff of fees, costs and expenses, to be paid to the different election officers. New tariff.

He may also, from time to time, revise and amend such tariff, which shall be substituted at any subsequent election to that hereinbefore mentioned. Revision of tariff.

A copy of every tariff, and of any amendment to any tariff made under this article, shall be submitted to the Legislative Assembly at the then next session of the Legislature. 59 V., (Q.), c. 9, s. 328. To be submitted to Legislative Assembly.

236. Such fees, disbursements and allowances are paid to the returning officer out of the consolidated revenue fund of the province, and are by him apportioned among the different officers and persons entitled thereto. Payment of fees.

The returning officer shall report, respecting such distribution, through the Provincial Secretary. 59 V., (Q.), c. 9, s. 329. Report.

237. No returning officer, election clerk, deputy returning officer, or poll clerk shall be entitled to the costs or expenses incurred by him in going to the person before whom he must take any oath required of him. 59 V., (Q.), c. 9, s. 330. No fees for going to take oath.

SECTION VII.

General Provisions.

238. When a returning officer or a deputy returning officer is by this Act required or authorized to give a public notice, and no special mode of giving it is mentioned, he may give it by advertisement, placards, handbills, or such other means as he thinks best calculated to give information to the electors. 63-64 V., (C.), c. 12, s. 150; 59 V., (Q.), c. 9, s. 97. Mode of giving notices.

* * * * * * * *

240. No election shall be declared invalid by reason of any want of qualification in the persons signing a nomination paper received by the returning officer, under the provisions of this Act, or by reason of non-compliance with the provisions of this Act as to the taking of the poll or the counting of the votes, or of any mistake in the use of the forms contained in schedule one to this Act, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in this Act, and that such non-compliance or mistake did not affect the result of the election. 63-64 V., (C.), c. 12, s. 152; 59 V., (Q.), c. 9, s. 222. Mistakes of form only not to void elections.

241. No election shall be declared invalid by reason of non-compliance with the provisions of this Act as to limitations of time, unless it appears to the tribunal that such non-compliance may have affected the result of the election. 63-64 V., (C.), c. 12, s. 153. As to non-observance of limits of time mentioned in this Act

SECTION VIII.

Repeal.

242. The Acts mentioned in schedule three to this Act are repealed to the extent mentioned in the said schedule, and the provisions of this Act are substituted for the provisions of the Acts so repealed. 63-64 V., (C.), c. 12, s. 155. Repeal.

SECTION IX.

Coming into Force.

243. This Act shall come into force on the first of July next. Coming into force.

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6 EDWARD VII.

Chap. 7.

An Act to amend the Quebec Election Act, 1903.

[Assented to 9th March, 1906.]

His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

* * * * * * * *

2. Article 63 of the said Act is replaced by the following: Id., 63, replaced.

"63. Whenever the number of electors shall exceed two hundred in any municipality, the council of such municipality shall, before the first of December, in each year, by a by-law made in the ordinary way, divide the municipality into as many voting subdivisions as there are two hundred electors, by adding one voting subdivision for each fraction over such number; provided always that each district shall not exceed in extent eight miles in length and eight miles in width. Division of municipality into polling sub-divisions.

The voting subdivisions shall as much as possible contain an equal number of electors. To contain equal number of electors.

Defining of divisions.

The limits of these subdivisions shall be well defined, and shall not divide any immovable property under which an elector is entitled to vote.

Polling districts in Montreal.

In the city of Montreal, the polling districts for the purposes of voting at municipal elections of the city shall be the voting subdivisions for provincial elections.

Uniting of several to form one with two hundred electors, &c.

The returning officers in the electoral districts comprised in the city of Montreal shall unite the polling districts of the city until they reach the number of two hundred electors upon the lists for such divisions, and open only one poll for such divisions so united."

ONTARIO.

SIR, Government House, Toronto, Ontario, May 23, 1906.

I HAVE the honour to acknowledge the receipt of your despatch of the 21st ultimo, upon the subject of the machinery and cost of elections in this province, and to now inform you that in elections for the Legislative Assembly for the province, the greater portion of the expenses are paid by the province. The fees for the Returning Officer and his deputies are fixed by the Election Act, R.S.O., 1897, Chapter 9, Schedule B. The cost of the polling booths is borne by the municipalities, as provided in the above mentioned schedule. The ballots and forms are supplied to all Returning Officers, &c., and are paid for out of provincial funds.

I have, &c.,

WM. MORTIMER CLARK,
Lieutenant-Governor.

The Honourable
The Secretary of State,
Ottawa, Ontario.

MEMORANDUM.

FOR USE OF DEPUTY RETURNING OFFICERS AT ELECTIONS FOR THE LEGISLATIVE ASSEMBLY.

It is hoped that you will, upon your appointment, make yourself familiar with the provisions of "The Ontario Election Act," Rev. Stat. 1897, cap. 9 and 61 Vict. cap. 5, 62 Vict. (1st Session) cap. 4, 62 Vict. (2nd Session) cap. 5, 63 Vict. cap. 4, 2 E. VII. cap. 7, and 4 E. VII. cap. 3, amending the same. To enable you to do this, a pamphlet containing these Acts will be furnished you by the returning officer. In this pamphlet the provisions of the later Acts are inserted in their proper place in the Statute. This memorandum is not intended in any way to relieve you from the duty of carefully examining these Acts.

Upon your appointment you will take the oath prescribed by section 65 of the Election Act and appoint a poll clerk, as directed by section 87.

Upon receiving the books of ballot papers you will verify, by counting them, the number of ballot papers and of tendered ballot papers which the books given you are stated respectively to contain, and certify the same on the covers of such books.

Vide sec. 73. If a ballot box is not supplied to you by the returning officer previous to the second day before the polling day, you should forthwith procure one to be made of galvanized iron, strong block tin or well-seasoned wood, of the following dimensions, namely, seven inches

Vide sec. 75. by twelve and twelve inches deep; and in case the returning officer fails to provide proper compartments, materials for marking ballot papers, and for making up and sealing packages, you will supply the omission.

You will, before the commencement of the poll, placard outside the polling place, and in each polling compartment, printed directions for the guidance of voters.

You will also placard conspicuously outside, as well as inside the polling place, copies of the notice as to secrecy as required by section 31; and you will take care that these notices remain so placarded from the opening until the closing of the poll.

Vide sec. 76. The returning officer will enter in the poll book the certificates of the clerk of the municipality, (*a*) showing the day fixed for the assessor to begin to make the assessment roll on which the voters' list proper to be used at the election is based and showing also the last day on which a complaint could be made to the County Judge under the Voters' Lists Act; (*b*) showing the date of the return and final revision of the assessment roll on which the said voters' list is based.

Vide sections 96, 96A. You will be in attendance at your polling place fifteen minute before the time appointed for opening the poll and you will count the ballot papers and exhibit the ballot box to those present, so as to show that it is empty, and then seal it in their presence.

You will conduct the poll in the manner directed by sections 96 to 111, with which you should make yourself specially familiar.

Vide sec. 33. A poll book is now to be kept in which the necessary entries are to be made. A list of "tendered votes" must also be made as directed by sections 107 and 108.

Vide sec. 111. Special attention is called to the duty of excluding from the polling place all persons other than the returning officer, poll clerk, candidates or their authorized agents, and to the penalty to which a deputy returning officer, poll clerk or agent, subjects himself if he votes under a certificate without first taking an oath of qualification. See section 94, subsections 5 to 9, as to the formalities to be observed in respect of such votes.

No person is to be supplied with an ordinary ballot paper unless his name appears on the voters' list, entered in the poll book, and no question of qualification can be raised before you; but a person claiming that his name has been improperly omitted from the list is entitled to mark a tendered ballot paper upon taking the oath prescribed by section 108. Vide sec. 78.

The poll is to kept open from 9 a.m. till 5 p.m. Immediately after its close you will count the votes, make up statements and packets, as directed by sections 111 to 118, and deliver them to the returning officer. Special attention is called to the mode of examining the ballot papers prescribed by section 112 (1), and of delivering the packets to the returning officer prescribed by section 117. Vide sec. 63.

The returning officer, and every other officer, clerk and agent, authorized to attend at the polling place, must, before the opening of the poll, take the oath of secrecy required by section 156. If an agent appears at any polling place subsequent to the opening of the poll, the deputy returning officer should require him forthwith to take the oath. Vide sec. 156.

Your special attention is called to subsection 7 of section 112, which directs that the form 11 in the poll book being the statement of the poll after counting the ballot papers is to be entered in the poll book and signed therein by the deputy returning officer, the poll clerk and such of the candidates or their agents present as shall desire to sign it, and to subsection 3 of section 116 permitting the candidates or agents present if they so desire to write their names across the flap of each of the several envelopes or packages.

AN ACT RESPECTING ELECTIONS OF MEMBERS OF THE LEGISLATIVE ASSEMBLY.

(Being Rev. Stat. 9, cap. 1897, and amendments.)

As amended by Act of 14th May, 1906.

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Interpretation, s. 2.
Qualification of members, s. 3.
Qualification of voters, ss. 4-15.
Polling subdivisions, ss. 16-18.
Returnng officers, ss. 19-26.
General elections, time of polling, &c., ss. 27-30.
Notice as to secrecy, s. 31.
Issue of writ, s. 32.
Blank poll books to be supplied, s. 33.
Proceedings on receipt of writ, ss. 34-52.
- Proclamation of Nomination Day, ss. 35-41.
- Communication with Pelee and Amherst Islands, s. 42.
- Preparation of polling places, ss. 43-44.
- Procuring ballot boxes, s. 45.
- Oath to be taken by returning officer, ss. 46-49.
- Appointment, &c., of Election Clerk, and oath, ss. 47-52.

Proceedings on the nomination day, ss. 53-56.
Withdrawal of candidates after nomination, ss. 57-58.
Proceedings when a poll is granted, ss. 59-63.
Polling places in the Algomas, s. 61.
Proceedings preliminary to the poll, ss. 64-91.
- Appointment of deputy returning officers, ss. 64-68.
- Procuring ballot papers, ss. 69-71.
- Procuring ballot boxes, ss. 72, 73.
- Procuring directions to voters, ss. 74, 75.
- Procuring certificates from clerk of municipality, s. 76.
- Proper voters' lists, ss. 77-83.
- Duties of Clerk of the Peace on receipt of blank poll books, ss. 84, 85.
- Deputy returning officer, to prefixe numbers, s. 86.
- Appointment of poll clerks, ss. 87-91.

Where voters are to vote, ss. 92-95.
Proceedings at the poll, ss. 96-111.
Proceedings after the close of the poll, ss. 112-123.
- Counting of votes by deputy returning officer, ss. 112-115.
- Return of documents to returnng officer, ss. 116-121.
- Delivery of ballot boxes to clerk of municipality, s. 122.
- Counting of votes by returning officer, s. 123.

Recount of ballot by county judge, ss. 124-131.
Appeal to Court of Appeal, s. 129.
Proceedings in case of loss of voters' list, &c., ss. 132-133.
Return and preservation of documents relating to the election, ss. 134-138.
Publication of return, s. 139.
Inspection of documents, ss. 140-143.
Keeping peace and good order—
- Powers of returning and deputy returning officers, ss. 144-150.
- Prohibition as to carrying arms or party badges, ss. 151-154.

Maintaining secrecy of proceedings, ss. 155-158.

Corrupt practices—
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Betting, s. 164.
Hiring vehicles, &c., s. 165.
Undue influence, s. 166.
Personation, s. 167.
Voting or procuring to vote when person not entitled, s. 168.
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Punishment for corrupt practices—
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Corrupt practices by voter, s. 175.
Corrupt practices by persons other than candidates, s. 177.
Employment of agents previously found guilty of corrupt practices to avoid an election, s. 178.
Effect on subsequent election of the avoidance of a prior election, s. 179.
Removal of disqualification on proof that same obtained by perjury, s. 180.
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Fees and expenses of returning officers, ss. 203-205.
Clerk of Crown in Chancery, s. 206.
Property in ballot boxes, s. 207.
Agents, provisions respecting, ss. 208-211.
Polling not commenced or interrupted, s. 212.
Non-juridical days, s. 213.
Non-compliance with matters of form not to avoid election, s. 214.
Administration of oaths, ss. 215, 216.
Copies of Act to be transmitted to returning officer, s. 217.

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as "The Ontario Election Act," 55 V., c. 3, s. 1.

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Subdivisions for Polling Places.

When new polling sub-division to be made.

16. (1.) It shall not be necessary for a returning officer to re-divide a polling subdivision, on account of the same containing more than two hundred voters, so long as it does not contain more than three hundred; but if it contains more than three hundred, he shall divide it into two subdivisions.*

(2.) Nothing in this section contained shall be held to relieve the council of a municipality from the duty of making a new division of the municipality or any part thereof into polling subdivisions, or re-dividing a subdivision as often as the number of qualified voters in a polling subdivision exceeds two hundred. 55 V., c. 3, s. 8 (6-7).

Remuneration of returning officer for making polling sub-divisions.

17. In case it is necessary for a returning officer to divide a municipality or any part thereof into polling subdivisions, he shall be paid by the treasurer of the municipality a reasonable allowance therefor. 55 V., c. 3, s. 14.

Duty of Returning officer in case polling sub-divisions have not been established. Rev. Stat., c. 223.

18. In case of failure on the part of a municipal council to divide a city, town or other local municipality into polling subdivisions proportioned to the number of electors, as provided by the "The Municipal Act," or in case the time to appeal from the division should not have expired before the receipt of the writ, the returning officer shall provide as many polling places for polling the votes of the electors in the city, town or other local municipality, as shall correspond as nearly as may be, with the number of polling places which would have been required if the city, town or other local municipality had been subdivided into the proper number of polling subdivisions. 55 V., c. 3, s. 13.

[*As to divisions to be made by Municipal Councils, see the Municipal Act.* 3 E. VII., cap. 19, sec. 536.]

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* *See* 2 E. VII., c. 7, s. 2, amending sec. 43, post p. 26.

Returning Officers.

Appointment of Returning Officer.

19. No commission shall be required for the appointment of a person as returning officer at any election for a member to serve in the Legislative Assembly, but the direction of a writ of election to a person named therein as returning officer shall be a sufficient appointment of the person as returning officer for the election. 55 V., c. 3, s. 15.

Writs for elections, to whom addressed.

20. Every writ for the election of a member of the Legislative Assembly shall be addressed to such person, being a voter of the electoral district for which the election is to take place, as the Lieutenant-Governor may appoint, and such person shall be the Returning Officer at such election.

Refusal or incapacity to act.

22. In case the person to whom the writ has been addressed has died, or should refuse to act, or should be absent, or should be incapacitated or unable from sickness or any other cause to act as returning officer, the Lieutenant-Governor may appoint some other person as returning officer. 55 V., c. 3, s. 18.

Where writ directed to person whose appointment is subsequently superseded.

23. In case a writ has been issued to a person whose appointment is subsequently superseded, a new writ may be issued; or the new returning officer may act under the writ already issued, as if the same had been addressed to him; and if valid proceedings have been had under the first appointment, the validity of the proceedings shall not be affected by the new appointment; but the new returning officer may appoint a new election clerk and new deputy returning officers, if he thinks fit, notwithstanding valid appointments to such offices had already been made by the person previously named as returning officer. 55 V., c. 3, s. 19.

Persons excluded from being Returning Officers.

24. (1.) None of the persons hereinafter designated in this section, shall, in any case, be appointed or act as returning officer, or as deputy returning officer, or as election clerk or as poll clerk, that is to say:—

(*a.*) Members of the executive council;

(*b.*) Members of the Parliament of the Dominion of Canada or of the Legislative Assembly of this province.

(*c.*) Any minister, priest or ecclesiastic, under any form or profession of religious faith or worship;

(*d.*) A judge of a court having general jurisdiction throughout Ontario, or having local jurisdiction throughout any county or other territorial division;

(*e.*) Persons who have served in the legislature of this province as members of the Legislative Assembly, in the session next immediately preceding the election in question, or in the then present session, if the election takes place during a session of the Legislative Assembly.

Penalty.

(2.) If any one of the said persons is appointed to act and acts as returning officer, or as deputy returning officer, or as election clerk, or as poll clerk, he shall thereby incur a penalty of $200. 55 V., c. 3, s. 20.

Exempted persons.

25. None of the persons hereinafter mentioned in this section shall, unless they are town clerks or assessors, be obliged to act as returning officer, or deputy returning officer, or as election clerk or poll clerk, that is to say:—

(*a.*) Physicians and surgeons;

(*b.*) Millers;

(*c.*) Postmasters;

(*d.*) Persons being sixty years of age or upwards;

(*e.*) Persons who have previously served as returning officers. 55 V., c. 3, s. 21.

Penalty for refusal to act.

26. Every person having the qualifications required by this Act for acting as returning officer, who refuses to perform the duty of returning officer at any election as aforesaid, after having received the writ of election, shall, for such refusal, incur a penalty of $200; unless such person, having a right to claim the exemption granted by the next preceding section, has in fact claimed exemption by letter setting forth the grounds of such exemption, forwarded to the Clerk of the Crown in Chancery, within two days next after the receipt of the writ of election. 55 V., c. 3, s. 22.

General Elections.

Lieutenant-Governor to fix days of election and polling in case of a general election.

27. Whenever a new Legislative Assembly is called, and a general election is to be held for that purpose the Lieutenant-Governor in Council shall fix the day for holding the elections, and shall also fix the day on which the polling shall take place, in cases where a poll is granted. 55 V., c. 3, s. 23.

Time for holding election and for polling.

28. The day to be fixed as aforesaid for holding the elections shall not be more than twenty days nor less than sixteen days from the date of the writs of election; and the day for holding the polls shall not be more than eight, nor less than six days after the day for holding the elections. 55 V., c. 3, s. 24.

At general elections all elections on same day.

Polling days to be identical.

29. At every general election, the elections for all electoral districts throughout the Province shall take place and be held on one and the same day, and the polling at all elections where polls have been granted, shall also take place on one and the same day, and the respective days so fixed for holding the elections, and for opening and holding the polls, shall be stated and inserted in the proclamation calling the general election, and in the several writs of election in that behalf. 55 V., c. 3, s. 25.

Date and return of writs for general election.

30. All the writs for a general election of members of the Legislative Assembly shall be dated on the same day, and need not name a return day, but shall be returnable forthwith after the execution thereof. 55 V., c. 3, s. 26.

Notices as to secrecy to be sent to returning officers before elections.

31. (1.) Previously to any general or other election of members of the Legislative Assembly the Clerk of the Crown in Chancery shall procure to be printed in conspicuous characters a notice as to secrecy, according to form 13 in schedule A to this Act, and shall transmit by post to the returning officer of every electoral district in which there is to be a contest, such number of copies as he may deem sufficient to supply every deputy returning officer with ten copies,

one copy of which the deputy returning officer shall placard conspicuously outside the polling place, and one copy he shall placard conspicuously within the polling place, and he shall see that they remain so placarded from the opening to the close of the poll.

(2.) The said notice may be either separate from or added to the notice for the guidance of voters in voting, being form 12 in schedule A to this Act. 55 V., c. 3, s. 26a.

Ballots, &c., to be supplied by Clerk of the Crown in Chancery.

(3.) It shall further be the duty of the clerk of the Crown in Chancery to procure from the Queen's Printer the ballot papers and forms, other than the proclamation of the nomination prescribed in this Act, in sufficient number for the requirements of the election; and such stationery as may be necessary for the purposes of the election; and to forward the same forthwith after the issue of the writ to the returning officer.

(4.) The number of ballot papers to be procured shall not in any case be less than the total number of voters on the voters' list for each electoral district. 63 V., c. 4, s. 2.

PROCEEDINGS AT ELECTIONS.

Issue of the Writ.

Writs to be addressed to Returning Officers.

32. (1.) Whenever a writ of election is issued for the election of a member to serve in the Legislative Assembly of this Province, the same shall be directed to such person as may be appointed by the Lieutenant-Governor.

Clerk of the Crown in Chancery to supply poll books.

33. Immediately after the issue of the writ of election in the next preceding section mentioned, the Clerk of the Crown in Chancery shall supply the returning officer appointed for the electoral district for which the election is to be held with a sufficient number of blank poll books for the purposes of such election, having regard to the number of polling subdivisions within the district, and the blank voters' lists in such poll books shall be in form 6 in schedule A to this Act, and each of such poll books shall show the date of the polling day and shall contain the following blank forms:—

1. Commission of deputy returning officer.
2. Oath of deputy returning officer.
3. Copy of the certificate of the clerk of the municipality showing the time fixed for the assessor to begin to make the assessment roll, and the last day on which a complaint could be made to the county judge under section 17 of "The Ontario Voters' Lists Act." Rev. Stat. c. 7
4. Commission of poll clerk.
5. Oath of poll clerk.
6. Oath and affirmation of secrecy.
7. Schedule for names of persons voting under certificates.
8. Schedule for names of persons marking tendered ballot papers.
9. Schedule of voters whose ballot papers have been marked under section 106.
10. Schedule for "Notes of objections" to ballot papers under section 112 (4).
11. Statement of the poll after counting the ballot papers.
12. Ballot paper account.
13. Oath of deputy returning officer after closing the poll.
14. Oath of poll clerk after closing the poll.
15. Copy of certificate of clerk of municipality as to dates of return and final revision of the assessment roll. 55 V., c. 3, s. 27*a*.

Proceedings on the Receipt of the Writ.

Endorsement on writ.

34. Each returning officer shall, on receiving a writ of election, forthwith endorse thereon the date of its receipt. 55 V., c. 3, s. 28.

Proclamation of Nomination Day.

Proclamation.

Posting up of proclamation.

35. (1.) The returning officer shall, by a proclamation in the English language under his hand, in the words or to the effect of form 1, in schedule A. to this Act, declare the place, day, and hour at which the election will be held, and shall cause the proclamation to be posted up in the manner hereinafter prescribed, with all reasonable speed after the receipt of the writ and at least eight days before the day fixed for holding the election, which day so fixed shall be called the nomination day.

How the eight days' notice reckoned.

(2.) Neither the day of nomination nor that of the posting up of the proclamation, shall be included in the eight days. 55 V., c. 3, s. 29.

Place of election.

36. (1.) The place at which the election will be held shall be fixed by the returning officer, and shall be in the public place most central and most convenient for the great body of electors in the electoral district for which he is acting as returning officer, and the hour to be fixed shall be between eleven o'clock in the forenoon and two o'clock in the afternoon of the day so fixed for opening the election.

Hour.

Unforeseen delay in opening elections.

(2.) In case the returning officer, from unforeseen delay, accident or otherwise, does not open the election until after the hour named, the election shall not, on that account, be invalid if it appears to the tribunal having cognizance of the question that the delay did not affect the result of the election. 55 V., c. 3, s. 30.

Polling day.

37. In and by the proclamation aforesaid, the returning officer shall also declare the day on which, in case a poll is granted as hereinafter provided the poll shall be opened in conformity with this Act, in each city, township, or union of townships, or ward, or part of township or ward (as the case may be), for taking and recording the votes of the electors according to law. 55 V., c. 3, s. 31.

Places of posting up proclamation in city or town.

38. If the election is for a city or town, the returning officer shall cause the proclamation to be posted up at the city or town hall, and in some public place in each ward of the city or town. 55 V., c. 3, s. 32.

39. (1.) If the election is for a county or riding, the returning officer shall cause the proclamation to be posted up at the town hall or other public place where the meetings of the Municipal Council of each township are held, at every post office in the electoral district, and at least at one public place in every polling subdivision. In county or riding.

(2.) It shall not be necessary in the electoral districts of Algoma West, Algoma East, Muskoka, Nipissing and Parry Sound, to post up the proclamation for holding the election at every post office in the said electoral districts, but the proclamation shall be posted in some public place in the neighbourhood of each place at which a poll is required to be held in case a poll is granted. 55 V., c. 3, s. 33. Places of posting up proclamation in Districts of Algoma, &c.

40. A returning officer refusing or neglecting to cause such proclamation to be posted up as above required, shall, for such neglect or refusal, incur a penalty of $200. 55 V., c. 3, s. 34. Penalty.

41. In cases where from unforeseen delays, accident or otherwise, the proclamation for holding an election for a member of the Legislative Assembly for any electoral district could not be posted up so as to leave the required delay between the posting up of the proclamation and the nomination day appointed by the Lieutenant-Governor, or by the returning officer as the case may be, and in cases where from unforeseen delays, accidents or otherwise, as aforesaid, the returning officer is unable to open the election within the prescribed hours on the day he fixed for that purpose, he may fix new days for the nomination of candidates and for the polling; and in such case the nomination shall be the nearest day practicable, not being a Sunday or statutory holiday, after allowing the number of days required by law between the posting up of the proclamation and the nomination day; and in every such case the returning officer shall, with his return, make to the Clerk of the Crown in Chancery a report of the cause which occasioned the postponement of the election. 55 V. c. 3, s. 37. Unforeseen delays provided for.

42. Whenever an election of a member to the Legislative Assembly to represent any electoral district of which either Pelee Island or Amherst Island forms a part is to be held between the months of October and April, the Lieutenant-Governor in Council, if satisfied that communication and travel between said Pelee Island or Amherst Island and the main land is, during the holding of such election likely to be dangerous or to be interrupted, may direct that all necessary instructions and information relating to such election may be transmitted by telephone by the returning officer to the deputy returning officer or officers, and by him or them to the returning officer, so that such returning officer may be informed of the number of votes given for each candidate and of all other matters relating to the election, and be enabled to return the candidate having the majority, or to make such other return as the case requires; and the Lieutenant-Governor-in-Council may make such order as to the details of the proceedings at or relating to such election, to be so transmitted to either said Pelee Island or Amherst Island, as the case may be, as to him seems proper for best attaining the purpose of this enactment. 55 V., c. 3, s. 37*a*. Communication with Pelee Island and Amherst Island may be by telephone.

Polling Places.

43. (1.) The returning officer shall also, on receiving the writ of election, fix one polling place for each subdivision into which a city, town or other local municipality is subdivided in the most central and convenient place for the electors of such subdivision; but the number of polling places now required by law in cities and towns shall in no case be diminished except as hereinafter provided and the polling places shall be at least one hundred yards distant from each other in cities, towns, and incorporated villages, and at least one mile distant from each other in other local municipalities, except when more than one polling place is provided for a polling subdivision. 55 V., c. 3, s. 38 (1); 57 V., c. 5, s. 1; 2 E. VII., c. 7, s. 1. Polling places in each polling subdivision.

(2.) A returning officer may in his discretion grant such additional polling places in any polling subdivision as the extent of the subdivision and the remoteness of any body of its voters from the polling place render necessary. 55 V., c. 3, s. 38 (2). Additional polling places in discretion of Returning Officer.

(3.) In cities, the returning officer may in his discretion unite two or more adjoining polling subdivisions and fix one polling place for the united subdivision: Provided always that such united polling subdivision shall not contain more than 200 voters. 57 V., c. 5, s. 2. Returning Officer may unite polling sub-divisions in cities.

(4.) The building in which the poll is held shall not be a tavern or place of public entertainment; and there shall be free access to the poll for every elector. 55 V., c. 3, s. 38 (3). Polling place not to be a tavern.

(*By* 61 *Vic., cap.* 5, *s.* 4, *the following was substituted for subsections* 5 *and* 6):

(5.) In cities the returning officers shall provide suitable polling places, but shall before so doing, when practicable, confer with the city clerk or treasurer, and the expense thereof, not exceeding six dollars for each polling place, shall be paid by the treasurer of the city upon the order of the returning officer. 61 V., c. 5, s. 4. Polling places in cities.

(*By* 2 *E. VII., c.* 7, *s.* 2, *the following subsections were added to s.* 43):

(6.) Where a polling subdivision contains more than three hundred voters the returning officer instead of subdividing such polling subdivision as directed by section 16, may provide separate and additional polling places according to the total number of voters on the proper list of voters for such polling subdivision, near to one another, for the polling of the votes in such polling subdivision, and so that not more than three hundred voters' names shall be on the list to be entered in the poll book for each polling place. Additional polling places to be provided where voters exceed 300.

(7.) Each separate polling place shall be designated by the initial letters of the surnames of the voters on the list who are to vote in such polling place, in the following manner, that is to say, from A to K, and from L to R, and S to Z, or as may be determined upon by the returning officer. Division to be according to initial letter of voters' names.

Where voters to vote.

(8.) Every voter, the initial letter of whose surname is included within the letters of the alphabet designating a polling place and contained in the list in the poll book for the same, shall vote in the polling place so designated.

Appointment of deputies for additional polling places.

(9.) The returning officer shall appoint a deputy returning officer for each such polling place, and shall deliver to such deputy in due time a poll book containing the names of all voters on the proper list of voters for the polling subdivision whose surnames commence with the letters of the alphabet included within the letters by which such polling place is designated.

Municipalities not relieved from duty as to polling subdivisions.

(10.) Nothing in this section contained shall be held to relieve the council of a municipality from the duty of making a new division of the municipality, or any part thereof into polling subdivisions, or redividing a subdivision as often as the number of qualified voters in a polling subdivision exceeds two hundred. 2 E. VII., c. 7, s. 2.

Compartment for voters to mark ballots.

44. Every polling place shall be furnished with compartments in which the voters can mark their votes screened from observation; and it shall be the duty of the returning officer and the deputy returning officer respectively, to see that a sufficient number of compartments is provided at each polling place. 55 V., c. 3, s. 39.

Ballot Boxes.

Ballot boxes to be furnished.

45. (1.) The returning officer shall also, on receiving the writ of election, procure or cause to be procured as many boxes (hereinafter called ballot boxes) as there are polling subdivisions within the electoral district.

How made.

(2.) The ballot boxes shall be made of some durable material, shall be provided with a lock and key, and shall be so constructed that the ballot paper can be introduced therein, and cannot be withdrawn therefrom unless the box be unlocked.

Penalty on failure to furnish boxes.

(3.) If the returning officer fails to furnish ballot boxes in the manner herein provided, he shall incur a penalty of $100 in respect of every ballot box which he has failed to furnish in the manner prescribed. 55 V., c. 3, s. 40.

Oath of Returning Officer.

Oath of Returning Officer.

46. Every returning officer shall, before the day fixed for opening the election, take and subscribe before a justice of the peace for the county or district in which he resides, the oath form 2 in schedule A to this Act; and a returning officer who refuses or neglects to take and subscribe the oath, shall, for such refusal or neglect, incur a penalty of $40. 55 V., c. 3, s. 41.

Penalty.

Election Clerks.

Returning Officer to appoint an Election Clerk.

47. Every returning officer shall, before the nomination day, appoint, by a commission under his hand, to the effect of form 3 in schedule A to this Act, a fit person to be his election clerk, and to assist him in the performance of his duties as returning officer. 55 V., c. 3, s. 42.

Oath of Election Clerk.

48. The election clerk shall before entering upon his duties take and subscribe, either before a justice of the peace for the county or district in which he resides or before the returning officer, the oath form 4 in schedule A to this Act. 55 V., c. 3, s. 43.

Oaths may be printed or written on back of writ.

49. The oaths and commission mentioned in the three preceding sections may be either printed or written or partly printed and partly written on the back of the writ of election. 55 V., c. 3, s. 43*a*.

Penalty for refusing to act.

50. A person so appointed as election clerk, who refuses to accept the office, or who, having accepted it, refuses or neglects to take and subscribe the oath, or to perform the duties of election clerk, shall, for such refusal or neglect, incur a penalty of $40. 55 V., c. 3, s. 44.

Provision in case of death, &c., of Election Clerk.

51. The returning officer may, either before or after the nomination day, appoint, in the manner above mentioned, another person as his election clerk, whenever the case requires, either by reason of the death, illness or absence of the election clerk previously appointed, or of his refusal or neglect to act, or otherwise; and the new election clerk so appointed shall perform all the duties and comply with all the obligations of his office, under the same penalty, in case of refusal or neglect on his part, as is hereinbefore imposed in case of the refusal or neglect of the election clerk to act, and the appointment and oath of an election clerk appointed under this section shall be either endorsed on or attached to the writ of election, and shall be in accordance with the provisions of sections 47 and 48 of this Act. 55 V., c. 3, s. 45.

Provision in case of death, &c., of Returning Officer.

52. Whenever a returning officer becomes unable to perform the duties of his office, whether by death, illness, absence or otherwise, the election clerk by him appointed as aforesaid, unless another returning officer is duly appointed under section 22 shall, under the same penalties in case of refusal or neglect on his part as are hereinbefore imposed in like cases on the returning officer act as, and shall be returning officer for the election, and shall perform all the duties and be subject to all the obligations of that office, in like manner as if he had been duly appointed returning officer, and without being required to possess any other qualification or to take any new oath. 55 V., c. 3, s. 46.

Proceedings on the Nomination Day.

Proceedings of the Returning Officer on the day of nomination.

53. Every returning officer shall at the time and place fixed as aforesaid for opening the election, proceed to the hustings (which shall be held at such a place that all the electors may have free access thereto), and shall make or cause to be made, in the English language, in the presence of the electors there assembled, a proclamation in the words or to the effect of form 5 in schedule A to this act, and shall then and there read, or cause to be read publicly, in the English language, the writ of election, and his commission as returning officer when he has been appointed returning officer by special commission and shall then require the electors there present to name the person or persons whom they wish to represent them in the Legislative Assembly in obedience to the writ of election. 55 V., c. 3, s. 47.

Grant of poll.

54. No show of hands shall be taken on the nomination day, but if at the nomination more than one candidate is proposed the returning officer shall grant a poll for taking and recording the votes of the electors, and should he refuse or neglect to grant such poll he shall incur a penalty of $1,000 and the election shall be *ipso facto* null. 55 V., c. 3, s. 48.

If only one candidate proposed within one hour, he to be declared elected.

55. If only one candidate is nominated, or the electors there and then present agree in the choice so to be made of the person to represent them, the returning officer shall, at the expiration of one hour from the nomination of the candidate, and not before, close the election, and shall then and there openly proclaim the person so chosen to be duly elected. 55 V., c. 3, s. 50.

Returning Officer to publish names and addresses of agents.

56. The returning officer shall announce from the hustings on the day of nomination, and on or before the day of nomination, at the expense of the candidate, shall publish the name and address, or the names and addresses of the agent or agents appointed in pursuance of section 197 of this Act; the publication shall be in some newspaper, if such there be, published or circulated within the electoral district for which the election is to take place. 55 V., c. 3, s. 51.

Withdrawal of Candidates.

Withdrawal of candidate after nomination.

57. Any candidate nominated may withdraw at any time after his nomination and before the opening of the poll, by delivering to the returning officer a declaration in writing so withdrawing, signed by himself, and any votes cast for a candidate, who shall have so withdrawn shall be null and void: and in case after the withdrawal there shall remain but one candidate, then it shall be the duty of the returning officer to return as duly elected the candidate so remaining, without waiting for the day fixed for holding the poll, or for the closing of the poll, if his withdrawal is delivered on the polling day. 55 V., c. 3, s. 52.

Death of candidate.

58. In case a candidate dies after being nominated, and before the close of the poll, the returning officer may fix new days for the nomination of candidates and for the polling, and in such case the nomination day shall be the nearest day possible not being a Sunday or statutory holiday, after allowing the number of days required by law between the posting up of the proclamation and the nomination day; and in every such case the returning officer shall with his return make to the Clerk of the Crown in Chancery a report of the cause which occasioned the postponement of the election. 55 V., c. 3, s. 53.

Proceedings when a Poll is Granted.

Day of opening poll, and time place of summing up votes to be proclaimed

59. (1.) Where at an election a poll has been granted, the returning officer, immediately after having granted a poll, and before adjourning his proceedings, shall publicly proclaim from the hustings the day previously fixed in and by his first proclamation, and the places at which the poll shall be so opened in every polling subdivision or ward (as the case may be), for the purpose of then and there taking and recording the votes of the electors according to law, and the place where and the time when the returning officer shall sum up the number of votes given to the several candidates. The returning officer shall also, as far as practicable, publicly proclaim from the hustings the names of the persons whom he has appointed as deputy returning officers.

Deputy Returning Officers to be named.

Poll not to be held on Sundays or certain holidays

(2.) The day to be fixed for opening the poll as aforesaid shall not be a Sunday, New Year's day, Good Friday, Christmas Day, Dominion Day, or the day appointed for the celebration of the birthday of the Sovereign; and the poll shall be opened and held on that day only so that there be but one and the same day's polling at any special or general election. 55 V., c. 3, s. 54; 60 V., c. 15, sched. A (49); 63 V., c. 4, s. 3.

Poll book to be furnished for each polling place.

60. Whenever polling subdivisions have been established by the Municipal Council, or have been provided for by the returning officer, a poll shall be opened and held in every subdivision, for taking the votes of the electors therein, and a poll book containing the names of all persons entitled to vote in the subdivision, according to the form 6 given in schedule A to this Act shall be furnished for every polling place appointed therefor. 55 V., c. 3, s. 55.

Polling places in Algoma West.

61. (1.) In the electoral district of Algoma West a poll shall be opened and held at each of the places hereinafter mentioned, namely, in municipalities:—

North Ward, Port Arthur,
South Ward, Port Arthur,
Fort William,
Murillo,
Rat Portage,
Oliver Township, School House No. 7.

And in unorganized territory, at the following places:—

Ash Rapids,
Aylesworth, township of, lot No. 13.
Beaver Mills, township of Attwood,
Emo, in the township of Lash,
Empress Mine,
English River,
Fort Francis,
Hawk Lake,
Ignace,
Kalmac,
Keewatin Mills,
Leeblain,
Little Turtle Lake,
Manitou Lake,
Mikado Mine,
Mine Centre,
Morley Township of School House.
Beaudreau's Fishing Station, Lake of the Woods.
Barclay,
Dryden, township of Wainwright,
Pine River, township of Dilke,
Regina Mine,
Rossport,
Savanne,
Saw Bill Lake,
Schreiber,
Silver Creek,
Sultana Mine,
Tache,
Vermillion Bay,
Wabagoon,
Whitefish Station, on Port Arthur, Duluth and Western Railway,
White River Village.

(2.) In the electoral district of Algoma East a poll shall be opened and held at each of the places hereinafter mentioned, namely, in municipalities:—

Ward No. 1 South Tarrentorus, School House,
Ward No. 2 East Korah, School House,
Ward No. 3 West Korah, School House,
Ward No. 4 Base Line, School House,
Ward No. 1 Sault Ste. Marie,
Ward No. 2 Sault Ste. Marie,
Ward No. 3 Sault Ste. Marie,
Orchard School House, North Macdonald Township,
Hurley's School House, South Macdonald Township,
Bar River School House,
Gordon Lake School House,
Temperance Hall, township of Tarbutt,
Richard's Landing Village,
Lyon's School House,
Irwin's School House,
Mountain School House, section 2, Jocelyn,
Jocelyn School House, section 1,
Tenby Bay, section 3, Jocelyn,
Hilton,
Kaskawan School House,
Little Rapids School House,
Thessalon,
Massey,
Webbwood,
Nairn Village,
Little Current,
Cockburn Island, School House No. 1,
Bruce Mines,
Worthington Village,
Whitefish Village,
Rayside Town Hall,
Chelmsford,
Gore Bay,
Gordon Township, School House section No. 1,
Colin Campbell's Settlement, School House, township of Burpee,
Big Lake School House, township of Sandfield,
Sandfield's Mills, School House,
William Newman's Settlement, township of Sandfield,
Providence Bay,
Mindemoya Lake School House, lot No. 21, 4th concession Carnarvon,
Michael's Bay,
Blue Jay River School House,
Manitowaning,
School House, section No. 2, Howland,
School House, section No. 5, Howland
Honora Bay, William Graham's settlement, Howland,
Kagawong Village,
Prince School House, 2nd line, township of Prince,
Hugh Phillip's Settlement, township of Aberdeen.

And in unorganized territory at the following places:—

Missinabie Station,
Chapleau Village,
Biscotasing Village,
Geneva Lake Village,
Cartier Village,
Finley's Settlement School House, township of Waters,
Walford Village,
Spanish Village,
Cutler Mills,
Cook's Mills,
Algoma Mills,
Blind River,
Stephen Crawford's Settlement, township of Thompson,
Forrest Corners, township of Gladstone,
Pender's School House, township of Parkinson.
Ainsley's School House, township of Wells,
Day Mills,
Andrew Kerr's, township of Kirkwood,
Rydal Bank,
A. B. Dunn's School House, township of Galbraith,
Fraser's School House, township of Aberdeen,
Garden River,
J. McSorley's Settlement, tonwship of Fenwick, Batchewana,
Aird Island,
Lewis Kemp's Settlement, township of Robinson,
Meldrum Bay,
Poplar School House, township of Mills,
Barrie Island, Reynold's Settlement,
Loughead's School House,
Dougherty's School House, Long Bay,
White Fish River, Mouth,
Killarney,
Collin's Inlet,
Picnic Island,
Township of Aberdeen, Neil Morrison's Settlement,
Township of Bright and Bright Additional Dayton,
Township of Patton, Dugald McLaughlin Settlement,
Michipicoten River, Mission Village.
Wa Wa,
John Island,
Gavel Beach.

56 V., c. 4, s. 1; 60 V., c. 14, s. 39; 61 V., c. 5, s. 2; 63 V., c. 4, s. 34.

(3.) The Lieutenant-Governor in Council may from time to time add other polling places to those named.

(4.) The returning officer shall establish as many polling places at the places before mentioned as he may consider requisite, and may appoint other places in addition to those named in this section.

(5.) There shall be at least one polling place in every municipality for which there is an assessment roll. 55 V., c. 3, s. 56 (2-4).*

Polling places in the districts of Port Arthur, &c.

62. Polls shall be opened and held at an election in the electoral districts of Port Arthur and Rainy River, Fort William and Lake of the Woods, Sault Ste. Marie, Manitoulin, Algoma, West Nipissing and East Nipissing, in each of the organized municipalities in accordance with the provisions of this Act, and in such municipalities one of such polls shall be opened at or near the place where the last municipal election was held, and polls shall also be held at such places as are provided in the preceding section, or at such places as the Lieutenant-Governor in Council may from time to time direct. 2 E. VII., c. 7, s. 4.

* See now 2 E. II. cap. 4, dividing the electoral districts of West and East Algoma, &c.

63. (1.) On the day of polling the voting shall commence at nine o'clock in the forenoon, and shall finish at five in the afternoon of the same day, and the votes shall be given by ballot. Hours of voting.

(2.) A voter entitled to vote within a city or town shall on the day of polling, for the purpose of voting, be entitled to absent himself from any service or employment in which he is then engaged or employed, from the hour of noon in the daytime until the hour of two of the clock next thereafter, and a voter shall not, because of his so absenting himself, be liable to any penalty, or suffer or incur any reduction from the wages or compensation to which but for his absence he would have been entitled; provided that if so required by the person in whose service or employment the voter is so engaged or employed, the voter so absenting himself shall, at some other time during the same or the following week employ himself in and about such service or employment for one hour more than the hours of the usual and ordinary day's work or service otherwise required to be performed by him; Provided, moreover, that this sub-section shall not apply where a voter is by his employer or master permitted or allowed at any other period during the hours of polling, reasonable and sufficient time and opportunity to vote. 55 V., c. 3, s. 57. Right of employee to time for voting. Proviso. Proviso.

Proceedings Preliminary to the Poll.

Deputy Returning Officers.

64. (1.) For the purpose of taking the votes at an election, the returning officer shall, by a commission under his hand, in the words or to the effect of form 7 in schedule A to this Act, and being form 1 in the poll book appoint some suitable person to be deputy returning officer for every polling subdivision in which a polling place is to be opened and kept, and shall thereby require the deputy returning officer to open and hold the poll according to law, at the time and place fixed as hereinbefore provided, and at the poll to take and record in the voters' list in the poll book the particulars relating to electors voting at the polling place, which by this Act he is directed to take and record. 55 V., c. 3, s. 58. Appointment of Deputy Returning Officers.

(2.) No person shall be appointed a deputy returning officer who is not a voter in the local municipality wherein the polling subdivision to which he is appointed is situated or in the case of unorganized territory who is not a voter in the electoral division. 63 V., c. 4, s. 4. Deputy Returning Officer to be a voter in local municipality.

65. Every deputy returning officer shall, before acting as such, take and subscribe, either before a justice of the peace for the county or district in which he resides, or before the returning officer, the oath form 8 in schedule A to this Act, being form 2 in the poll book. 55 V., c. 3, s. 59. Oath of office, &c.

66. A person so appointed a deputy returning officer who refuses to accept the office, or who, after having accepted the same, refuses or neglects either to take and subscribe the oath or to perform the duties of a deputy returning officer, shall, for his neglect or refusal, incur a penalty of $100. 55 V., c. 3, s. 60. Penalty for refusing to perform duties of office.

(*Section 67 is repealed by 4 E. VII., c. 3, s. 4.*)

68. The returning officer may appoint, in the manner above provided, another person to be deputy returning officer, when and so often as the case may require the appointment, either by reason of the death, illness or absence of a deputy returning officer previously appointed, or by reason of his refusal or neglect to act in that capacity, or otherwise; and the new deputy returning officer so appointed shall perform all the duties and be subject to all the obligations of the office under the same penalties, in case of refusal or neglect on his part, as are hereinbefore imposed in like cases, and the appointment and oath of the person so appointed shall be similar in form to those provided for by sections 64 and 65 of this Act, and the same shall be endorsed upon or attached to the poll book. 55 V., c. 3, s. 62. Provision in case of death, &c., of Deputy Returning Officer.

68a. No person shall be appointed or shall be competent to act or returning officer, deputy returning officer or poll clerk who has at any time been found guilty of any corrupt practice, or of any offence under sections 190, 191, 192 and 193, by a competent legal tribunal or by the report of the judges upon an election petition. 4 E. VII., c. 3, s. 1. Persons not to be appointed election officers after conviction of corrupt practices.

Ballot Papers.

69. (1.) Where a poll has been granted, the returning officer shall be supplied by the Clerk of the Crown in Chancery with such a number of ballot papers as will be sufficient for the purposes of the election; and the number necessary for each polling subdivision shall be bound and stitched in a book of convenient size, and in such manner that the counterfoils shall continue bound or stitched when the ballot papers are detached therefrom. Ballot papers to be printed.

(2.) Every ballot paper shall contain the names of the candidates, arranged alphabetically in the order of their surnames, or if there be two or more candidates with the same surname, of their other names, and the ballot papers may be according to the form 11 given in schedule A to this Act. Contents and form.

(3.) The number and names of every candidate shall, if practicable, be distinctly printed in ink of different colours, if on the nomination day the candidates agree as to the colours; and the returning officer shall give to every candidate a certificate setting forth the selection of the colour made by him. Number and Names of candidates to be printed in different colours.

(4.) Every ballot paper shall have a counterfoil attached thereto; and every ballot paper and every counterfoil shall specify the name of the electoral district for which it is to be used and every ballot paper shall have a number printed on the back thereof, and the same number shall be printed on the face of the counterfoil attached thereto, but the same number shall not be printed on more than one ballot paper to be used for the electoral district. 55 V., c. 3, s. 63; 63 V., c. 4, s. 5. Counterfoil.

Tendered ballot papers.

70. (1.) In addition to the ballot papers hereinbefore referred to, the returning officer shall cause to be printed such a number of other ballot papers (hereinafter called "tendered ballot papers,") to be used in the manner hereinafter directed, as will be sufficient for the purposes of the election.

Contents and form.

(2.) The tendered ballot papers shall be in the same form as the ballot papers hereinbefore referred to, but shall be of a different colour; and upon the back of every tendered ballot paper, and upon the face of the counterfoil attached thereto, shall be printed the words "Tendered Ballot Paper."

Tendered ballot papers.

(3.) The tendered ballot papers and counterfoils attached thereto, shall be bound or stitched in a manner similar to that directed in the case of the other ballot papers and counterfoils. The number of tendered ballot papers shall not be less than ten per centum of the number of the ordinary ballot papers.

Returning Officer to furnish deputies with books of ballot papers, &c.

71. The returning officer shall, not less than one day before the opening of the poll, deliver or cause to be delivered to every deputy returning officer the books containing the ballot papers and tendered ballot papers, with their respective counterfoils attached, which have been prepared for use in the polling subdivision for which the deputy returning officer is appointed to act; and shall also furnish to the deputy returning officer, or see that he is furnished with the necessary materials for voters to mark the ballot papers, and such materials shall be kept at the polling place by the deputy returning officer for the convenient use of voters, and the deputy returning officer shall forthwith enter in form 12 in the poll book and being form 22 in schedule A hereto the number of ballot papers received by him from the returning officer opposite the words, "Ordinary Ballot Papers" and "Tendered Ballot Papers." 55 V., c. 3 s. 65; 63 V., c. 4, s. 7.

Ballot Boxes.

Delivery of ballot boxes to Deputy Returning Officers.

72. When it becomes necessary, for the purposes of an election, to use the ballot boxes, it shall be the duty of the returning officer, two days at least before the polling day, to deliver one of the ballot boxes to every deputy returning officer appointed for the purposes of the election. 55 V., c. 3, s. 66.

Duty of Deputy Returning Officer as to ballot boxes.

73. It shall be the duty of the deputy returning officer, in every polling subdivision not supplied with a ballot box within the time prescribed in the next preceding section, forthwith to procure one to be made. 55 V., c. 3, s. 67.

Directions to Voters.

Returning Officer to furnish Deputies with direction of voters.

74. The returning officer shall, not less than one day before the opening of the poll, deliver or cause to be delivered to every deputy returning officer such a number of printed directions for the guidance of voters in voting, as he may deem sufficient, and shall so deliver or cause to be delivered, at least ten copies of such printed directions; such directions shall be printed in conspicuous characters, and may be according to form 12 in schedule A to this Act. 55 V., c. 3, s. 68; 63 V., c. 4, s. 8.

Deputies to placard the directions.

75. Every deputy returning officer shall, before the opening of the poll, or immediately after he has received such printed directions from the returning officer, if he receives the same after the opening of the poll, cause the printed directions to be placarded outside the polling place for which he is appointed to act, and also in every compartment of the polling place, and shall see that they remain so placarded until the close of the polling. 55 V., c. 3, s. 69.

Certificates as to Assessment Roll.

Returning Officer to furnish Deputy Returning Officer with certificate of certain dates.

76. (1.) The returning officer shall, before the opening of the poll, obtain from the clerk of the municipality, the certificates hereinafter mentioned, that is to say:—

(*a.*) A certificate showing the day fixed for the assessor to begin to make the assessment roll on which the voters' list proper to be used for the purposes of the election is based, and showing also the last day on which a complaint could be made to the county judge under section 17 of "The Ontario Voters' Lists Act" in respect of any error or omission in the said voters' list, and such certificate shall be in the form 9 in Schedule A hereto;

Rev Stat. c. 7.

(*b.*) A certificate showing the day when the assessment roll, upon which the said voters' list is based, was returned by the assessor, and also the day upon which the same was finally revised and corrected, and such certificate shall be in the form 10 in schedule A to this Act.

(2.) The returning officer shall immediately enter copies of the said certificates in the proper poll books in forms 3 and 15, in such poll books and shall certify thereunder that the same are true copies of the original certificates received by him from the said clerk.

Clerk to give certificate.

(3.) The Clerk shall give the said certificates upon being required so to do by the returning officer or any other person who applies for the same, and shall be subject to a penalty of $200 in case of neglect or refusal.

Fee.

(4.) For every such certificate the clerk shall be entitled to receive the sum of twenty-five cents.

Certificate to be evidence of dates.

(5) The copies of the said certificates in the poll book shall be the evidence upon which the deputy returning officer shall act in inserting in the oath to be administered to voters the date of the return, or final revision, of the assessment roll, and the date for beginning to make the assessment roll, or the last day for making complaints as aforesaid, as the case may be. 55 V., c. 3, s. 70.

(*By* 61 *V., c.* 5, *s.* 5, *it is enacted as follows*):—

(5.) Where in any of the certificates or forms to be used at an election for the Legislative Assembly reference is made to the last day for making a complaint to the county judge it shall not be necessary to specify any section of "The Ontario Voters' Lists Act, 1889," or of the Revised Statute respecting Voters' Lists, 1897, but it shall be sufficient to refer to "The Ontario Voters' Lists Act."

References to last day for making complaints under Rev. Stat. c. 7.

Lists of Voters.

77. Subject to the provisions in the next succeeding six sections contained, the first and third parts of the last list of voters certified by the judge, and delivered or transmitted to the clerk of the peace, under "The Ontario Voters' Lists Act," before the date of the writ of election, shall be the proper list to be used for the purposes of an election to the Legislative Assembly. 55 V., c. 3, s. 71.

What voters' list to be used

Rev. Stat. c. 7.

78. Subject to the provisions of section 108 of this Act, no person shall be admitted to vote unless his name appears on the list in the poll book; and no question of qualification shall be raised at an election, except to ascertain whether the person tendering his vote is the same person intended to be designated in the said list; and other questions of qualification shall be raised and decided on election petition only. 55 V., c. 3, s. 72.

Only the persons named in list in poll book to vote.

79. In case a municipal council has by by-law divided the municipality into polling subdivisions, and the time for appealing from the by-law has expired, and no lists of voters for the subdivisions have been filed with the clerk of the peace, as required by "The Ontario Voters' Lists Act," but a list of the voters of the municipality or of the several wards therein has been duly certified by the judge, such list shall be the proper list of voters for the election; and the returning officer shall cause the names on the voters' list to be entered in the proper poll book or books for the deputy returning officers, having regard to the polling subdivisions provided for by the by-law. 55 V., c. 3, s. 73.

Where time for appealing from by-law making polling subdivisions has expired and no voters' lists filed. Rev. Stat. c. 7.

80. Where any territory is added for municipal purposes to a city, town or village belonging to, or constituting an electoral district other than that to which such territory previously belonged, or when a town with additional territory is erected into a city, or a village with additional territory is erected into a town, or in case a village is formed including territory which belonged to an electoral district other than that to which the village belongs, and an election takes place previous to the voters' lists including the names of persons entitled to vote in such territory, being made out for the city, town or village, or before the lists are certified by the county judge, then all persons who would have been qualified as electors if such territory had remained separate from the city, town or village, and if the election had been for the electoral district to which such territory formerly belonged, shall be entitled to vote in the city, town or village. 55 V., c. 3, s. 74.

Where new territory added to city, town or village, and no voters' list which includes such new territory.

81. In all such cases the clerks of the peace under the direction of the returning officer shall extract from the proper voters' lists of the municipality or municipalities to which such territory formerly belonged, containing the names of voters entitled to vote in respect of such territory, the names of the several voters in the lists entitled to vote in such territory, and shall place such names in the proper poll book or books for the purpose of enabling the persons named in such lists to vote at the election in the city, town or village. 55 V., c. 3, s. 75.

Duty of Returning Officer in cases of added territory as to voters' lists.

82. Where a voters' list embraces territory comprising portions of two or more electoral districts, every clerk of the peace under the direction of the returning officer shall enter the names of the voters in such territory in the proper poll book or books. 55 V., c. 3, s. 76.

Where voters' list embraces portions of Electoral Districts.

83. (1.) In any municipality in the electoral districts of Algoma East, Algoma West, East Victoria, North Hastings, North Renfrew, South Renfrew, Muskoka, Nipissing and Parry Sound, where there is an assessment roll, but for which no voters' lists containing the names of the voters in the municipality have been filed with the clerk of the peace, or certified by the county judge, the returning officer shall, upon receipt of the writ, deliver to the clerk of the municipality a blank poll book, or if the municipality is divided into polling subdivisions a blank poll book for each such subdivision, and the said clerk of the municipality shall forthwith from the assessment roll in his custody enter in the said poll book or books in alphabetical order, the names of all persons entitled to vote in such municipality or subdivision (as the case may be) and shall within four days return the said poll book or books to the returning officer completed, having first certified to the correctness thereof before a justice of the peace.

Municipalities in Algoma, &c., where there is an assessment roll but no voters' list filed or certified.

Polling book in Algoma, &c.

(2.) Every list of voters entered in such poll book so prepared (or a similar list otherwise procured by the returning officer, at the expense of the clerk, in case of the failure of the clerk to furnish the same within a reasonable time), shall be the voters' list to be used at the election for the municipality or polling subdivision.

(3.) In every municipality in the districts in which there is an assessment roll, it shall be necessary that the name of the elector shall appear upon the list of voters in the poll book prepared under this section, or under "The Ontario Voters' Lists Act"; and in such case the same provisions as to qualification of voters and other matters shall apply as in other electoral districts, and the oath or affirmation to be required of voters shall be the same. 55 V., c. 3, s. 77.

Rev. Stat. c. 8.

84. (1.) Every returning officer upon granting a poll at an election shall forthwith deliver to the clerk of the peace as many blank poll books as there are polling subdivisions in the electoral district, and the said clerk of the peace shall without delay enter or cause to be entered in the poll book for each subdivision from the proper list of voters the name of every person appearing therefrom to be entitled to vote within the subdivision for which the said poll book is required, and the said clerk of the peace shall add to each poll book a certificate to the effect that the said poll book contains a true copy of the proper list of voters for the said

Clerk of the Peace to enter names on voters' list in poll book.

polling subdivision; and the said poll books completed as aforesaid shall be re-delivered to the returning officer within four days from the date of their receipt by such clerk of the peace in blank, and the returning officer shall immediately cause the said poll books to be delivered to the deputy returning officers appointed to hold the polls throughout the electoral district. 55 V., c. 3, s. 78 (1).

Poll books for additional polling places.

(1*a*.) Where a returning officer instead of subdividing a polling subdivision provides additional polling places under section 43 he shall deliver to the clerk of the peace as many blank poll books as may be necessary for such additional polling places, and the clerk of the peace shall enter or cause to be entered in each such poll book from the proper list of voters the name of every person appearing therefrom to be entitled to vote at the polling place for which such poll book is required. 2 E. VII., c. 7, s. 4.

Poll books—mode of entering names.

(2.) The clerk of the municipality who has the custody of a voters' list shall, if required by the returning officer, discharge the duties by this section assigned to the clerk of the peace. 55 V., c. 3, s. 78 (2).

85. (1.) In the case of cities and of towns to which "The Manhood Suffrage Registration Act" applies, the clerk of the peace, when entering into the poll book under the next preceding section the names of persons appearing to be entitled to vote within the subdivision or at the polling place for which the poll book is required, shall write on the first line of the poll book, in red ink, the words "Voters entitled under the joint municipal and assembly list," and shall in the first place enter in the poll book the names of the persons whose surnames commence with the letter A, and who are under the said joint municipal and assembly list, as revised by the judge, entitled to vote at both municipal elections and elections to the Legislative Assembly, and no other names. 57 V., c. 4, s. 43 (1); 2 E. VII., c. 7, s. 5.

Entry at end of each alphabetical list.

Rev. Stat. c. 8.

(2.) When the said clerk completes the list of names commencing with A, as aforesaid, he shall write on the line immediately below the last of said names the following words, in red ink: "Voters entitled under Manhood Suffrage." The clerk shall then enter in the said poll book the names of the persons whose surnames commence with A, appearing in the last list of manhood suffrage voters prepared under "The Manhood Suffrage Registration Act."

(3.) The clerk shall in like manner proceed with the other names on the list revised by the judge, and the list of manhood suffrage voters, until he has entered in alphabetical order the names of all persons who are, under the said list as revised by the judge, entitled to vote at both municipal elections and elections to the Legislative Assembly and all the names appearing in the said list of manhood suffrage voters, under headings distinguishing the different classes as aforesaid.

Signature of Clerk of the Peace.

(4.) The clerk shall sign his name immediately under the last name of each initial letter.

Certificate of Clerk of the Peace.

(5.) The clerk of the peace shall on the last page of the poll book certify the date on which, as appearing by the registrar's certificate appended to his list, the first sitting was held for the preparation of the manhood suffrage voters' list. 57 V., c. 4, s. 43 (2-4, 6).

Poll Clerks.

Appointment of Poll Clerks.

87. (1.) Every deputy returning officer shall, by a commission under his hand and according to form 14 in schedule A to this Act, and being form 4 in the poll book, appoint a poll clerk to assist him in taking the poll according to law; and every poll clerk appointed as aforesaid shall, before acting, take and subscribe, either before a justice of the peace for the county or district in which he resides, or before the returning officer, or deputy returning officer, the oath form 15 in schedule A to this Act, being form 5 in poll book.

Penalty.

(2.) Every person so appointed a poll clerk who refuses to accept the office, or who, after having accepted the same, refuses or neglects either to take and subscribe the oath hereby required of him, or to perform the duties of a poll clerk, shall, for such neglect or refusal, incur a penalty of $40. 55 V., c. 3, s. 80.

Poll Clerk to be a voter in local municipality.

(3.) No person shall be appointed a poll clerk who is not a voter in the local municipality wherein the polling subdivision to which he is appointed is situated or in the case of unorganised territory who is not a voter in the electoral division. 63 V., c. 4, s. 9.

Poll Clerk to aid Deputy Returning Officer.

88. Every poll clerk shall, at the polling place for which he is appointed, aid and assist in the performance of the duties of his office the deputy returning officer appointed to open and keep the poll in conformity with this Act, and shall obey the orders of the deputy returning officer. 55 V., c. 3, s. 81.

To act as Deputy Returning Officer in certain cases.

89. If the deputy returning officer refuses or neglects to perform the duties of his office, or becomes unable to perform them, either by death, illness, absence or otherwise, and if no other deputy returning officer duly appointed by the returning officer in the place of the former appears at the polling place, then the poll clerk shall, under the same penalties as are hereinbefore imposed in like cases on a deputy returning officer, act at the poll as deputy returning officer, and perform all the duties and be subject to all the obligations of that office, in the same manner as if he had been appointed deputy returning officer by the returning officer, and without being bound to take a new oath for that purpose. 55 V., c. 3, s. 82.

In which case he may appoint another Poll Clerk.

90. Where any poll clerk, as hereinbefore provided, acts as deputy returning officer, he may appoint by a commission under his hand, according to form 14 in schedule A to this Act, another person as poll clerk, to aid and assist him as aforesaid in the performance of the duties of his office, and may administer to such poll clerk the oath required of a poll clerk by this Act; and the poll clerk so appointed shall have the same duties and be subject to the same obligations as if he had been appointed poll clerk by the deputy returning officer himself, and such commission and oath shall be endorsed on or attached to the poll book. 55 V., c. 3, s. 83.

91. Where a poll clerk, appointed under the requirements of this Act, refuses or neglects to perform his duty, or becomes unable to perform it, either by death, illness, absence or other cause, the deputy returning officer, whose poll clerk he was, may appoint by a commission under his hand, according to form 14 in schedule A, another person as poll clerk at the polling place, to aid and assist him as aforesaid in the duties of his office, and may administer to him the oath required of a poll clerk by this Act, and such commission and oath shall be endorsed on or attached to the poll book. 55 V., c. 3, s. 84.

Deputy Returning Officer may appoint another Poll Clerk in certain cases.

Where Voters to Vote.

92. In case the name of a person entitled to vote is entered on the list of voters for more than one polling subdivision in an electoral district, such person shall only vote at the polling place for the subdivision in which he resides, if entitled to vote in such subdivision, under a penalty of $200, but this provision shall not affect his right to vote in another polling subdivision under a certificate properly granted under section 94 of this Act. 55 V., c. 3, s. 85.

Voter to vote in subdivision in which he resides.

93. Where a voters' list has been prepared under Part III. of "The Ontario Voters' Lists Act" for any territory for which there is no assessment roll, subject to section 94, every person named therein may vote at the polling place assigned to him by such voters' list and not elsewhere. 55 V., c. 2, s. 8, part.

Where voter to vote where no assessment roll. Rev. Stat. c. 7.

94. (1.) The returning officer, on the request of any elector entitled to vote who has been appointed deputy returning officer or poll clerk, or who has been named the agent of any of the candidates at a polling place other than the one where he is entitled to vote, shall give to such elector a certificate that he is entitled to vote at the election at the polling place where he is stationed during the polling day. No returning officer shall give any such certificate until he has ascertained by reference to the voters' list that the applicant is entitled to vote, and he shall forthwith upon giving any such certificate give notice thereof in writing to the deputy returning officer for the polling subdivision in which the applicant is by the voters' list entitled to vote, and such person shall not thereafter be entitled to vote in the said polling subdivision at the said election. The returning officer shall not be required to give a certificate under this subsection unless requested to do so at least two days before the polling day; and he shall be entitled to charge and receive a fee of ten cents for every certificate granted by him; and every such certificate shall be dated, and the date named shall be that upon which the same was actually signed.

Deputy Returning Officers and agents may vote at polling places where they are employed.

(2.) On the production of the certificate the elector shall have the right to vote at the polling place where he is stationed during the polling day, instead of at the polling place of the polling subdivision where he would otherwise have been entitled to vote; but no such certificate shall entitle an elector to vote at such polling place unless he has been actually engaged as deputy returning officer, poll clerk or agent during the day of polling, or shall entitle an agent to vote who is disqualified under section 6 of this Act.

On production of certificate of Returning Officer.

(3.) The preceding two sub-sections shall not apply to a municipality or territory for which there are no voters' lists or supplementary voters' lists, and no such certificate shall be issued to a person in respect of a claim to be a voter in any such municipality or territory.

Application of sub-ss. 1 and 2 limited.

(4.) No returning officer shall, under a penalty of $400, give to more than two agents of the same candidate at one polling place a certificate under this section; and every such certificate shall name the polling place at which the agent is to be permitted to vote and the candidate for whom he is agent; nor shall a returning officer issue a certificate under this section except upon the personal or written request of the elector; and no such certificate shall be signed by the returning officer until the name, residence and occupation of the person to whom it is to be granted have been inserted therein.

Limitation of number of certificates to agents of candidates.

(5) No person who receives a certificate under this section whether as deputy returning officer, poll clerk or agent, shall thereafter either at the polling place named in the certificate, or at any other polling place, vote at the election, until he has taken at the polling place where he proposes to vote one or other of the oaths of qualification prescribed to be taken by voters, and any person violating the provisions of this subsection shall be subject to a penalty of $400; and every vote cast in contravention of this subsection shall be null and void.

Person receiving a certificate to take oath of qualification before voting.

(6.) The oath of the deputy returning officer shall be taken before the poll clerk, and the oath of a poll clerk or agent shall be taken before the deputy returning officer as in the case of other voters.

Before whom oath to be taken.

(7) Every returning officer shall, before delivering the certificate, enter in a list (to be kept by him for a year after the election), the name and qualification of every person to whom he gives a certificate under this section, the polling place at which such person is, under the certificate, authorized to vote, and stating whether the certificate is granted to him as deputy returning officer, poll clerk or agent; and, if as agent, the name of the candidate for whom he is agent; the returning officer shall also in the list enter the name of every person applying for a certificate to whom it is refused, with the ground of refusal, and if the last mentioned person claimed to be the agent of a candidate, the name of the candidate.

Returning Officer to keep a list of persons obtaining certificates.

(8.) The deputy returning officer shall enter, or cause to be entered, in the proper schedule in the poll book, form 7, the name, place of residence and occupation of every person (including himself if he so votes) voting under the authority of a certificate given under this section. The deputy returning officer shall also show in said schedule what form of oath was administered to such person in the following manner, namely, by entering in the said schedule opposite the name of such person: "Sworn, form 16," or otherwise as the case may require.

Entry on list of persons voting under authority of a certificate.

(9.) Every person proposing to vote by virtue of a certificate aforesaid, shall with his ballot paper deliver up to the deputy returning officer the certificate, and the deputy returning officer shall, at the close of the poll, enclose all the certificates received by him, in package (*h*) mentioned in section 116 of this Act. 55 V., c. 3, s. 87; 63 V., c. 4, s. 10; 4 E. VII., c. 3, s. 2.

Certificate to be delivered to Deputy Returning Officer by person voting.

Administration of oath to Deputy Returning Officer voting at his polling place.

95. In case of a deputy returning officer voting at the polling place where he has been appointed to be deputy returning officer, the poll clerk appointed to act at the polling place, or in the absence of the poll clerk any agent of a candidate authorized to be present, may administer to the deputy returning officer the oath required by law to be taken by voters. 55 V., c. 3, s. 88.

The Poll.

Deputy to show box empty and lock and seal it.

96. The deputy returning officer shall, immediately before the commencement of the poll, show the ballot box to such persons as are present in the polling place so that they may see that it is empty and shall count the ballot papers in the presence of the candidates or their agents, who may examine but not handle the same; and he shall then lock the box, and place his seal upon it in such manner as to prevent its being opened without breaking the seal; and he shall then place the box on a desk, counter or table or otherwise raised above the floor in the view of himself and of the persons entitled to be in the polling booth and who are there for the receipt of ballot papers, and shall keep it so locked and sealed. 55 V., c. 3, s. 89; 63 V., c. 4, s. 11.

Ballots to be counted before poll opens.

96A. Deputy returning officers and poll clerks shall be in attendance at their polling places fifteen minutes before the time appointed for the opening of the poll, and shall then count the ballots in the presence of the agents of the candidates or such of them as may be present. 63 V., c. 4, s. 12.

Conduct of Deputy on tender of vote.

97. Where a person claiming to be entitled to vote presents himself for the purpose of voting, the deputy returning officer shall proceed as follows:—

Name.

(1.) He shall ascertain that the name of such person is entered or purports to be entered, upon the voters' list in the poll book for the polling subdivision for which the deputy returning officer is appointed to act.

Recording.

(2.) He shall enter or cause to be entered in the column of the voters' list in the poll book headed "Column for marks indicating that the voter has offered to vote," the initials of the person offering to vote.

Oath.

(3.) If such person takes the oath or affirmation required to be taken by voters in the manner directed by this Act, the deputy returning officer shall enter, or cause to be entered, opposite such person's name, in the proper column of the voters' list in the poll book, the word "Sworn" or "Affirmed," according to the fact.

Objection.

(4.) Where the vote is objected to by a candidate or his agent, the deputy returning officer shall enter the objection, or cause the same to be entered, in the voters' list, in the poll book by writing opposite the name of such person, in the proper column the words "Objected to," stating at the same time by which candidate or on behalf of which candidate the objection has been made, by adding after the words "Objected to," the name only of such candidate.

Refusal to take the oath.

(5.) Where such person as aforesaid has been required to take the oath or affirmation, and refuses to take the same, the deputy returning officer shall enter or cause to be entered opposite the name of such person, in the proper column of the voters' list in the poll book, the words "Refused to be sworn," or "Refused to affirm," according to the fact.

Voter refusing to be sworn.

(6.) No person who has refused to take the oath or affirmation required by law, when requested so to do, shall receive a ballot paper or be admitted to vote; and the vote of such person if taken and received shall be null and void; and the deputy returning officer for having taken and received such vote or caused the same to be taken and received, shall incur a penalty of $200.

Deputy to sign his name on ballot paper and counterfoil.

(7.) Where the proper entries respecting the person so claiming to vote have been made in the voters' list in the poll book in the manner prescribed, the deputy returning officer shall stamp or sign his name or initials upon the back of the ballot paper and upon the counterfoil; and he shall not put upon the said ballot paper any figure or mark, other than his name or initials. 55 V., c. 3, s. 90 (1-7).

Exhibiting initials of deputy returning officer to persons present.

(8.) The deputy returning officer shall, if required by any candidate present or his agent, exhibit the name or initials signed or stamped by such deputy returning officer upon the back of the ballot paper before handing the ballot paper to the voter.

Voter may decline ballot not initialed.

(9.) Any person desiring to vote may decline to receive a ballot paper which has not the name or initials of the deputy returning officer signed or stamped upon it. 58 V., c. 4, s. 14 (1, 2).

Delivery of ballot to voter.

(10.) The ballot paper shall be detached from the counterfoil and delivered to such person.

Counterfoil to be retained.

(11.) The counterfoil shall be retained in the book by the deputy returning officer, and opposite the name of such person in the voters' list in such poll book a mark shall be placed to denote that he has received a ballot paper, but not showing the particular ballot paper which he has received. 55 V., c. 3, s. 90 (8, 9).

Persons on voters' list to be allowed to vote on taking oath if required.

98. (1.) The deputy returning officer shall receive the vote of every person whose name he finds in the proper list of voters in the poll book furnished to him, provided that such person, if required by a candidate, or the agent of a candidate, or by the deputy returning officer himself, takes the oath or affirmation hereinafter mentioned which the deputy returning officer is hereby empowered to administer.

Ordinary oaths.

(*a.*) Where the person offering to vote is a person who is entitled to vote without a property qualification the oath to be taken shall be in accordance with form 16 in schedule A hereto, unless in cities and towns where a board of registrars has prepared a list of manhood suffrage voters and the person offering to vote is entered in the poll book as entitled under manhood suffrage registration, in which case the oath to be taken shall be in accordance with form 17 in the said schedule, or unless in

territory where there is no assessment roll and the voters' list was prepared under Part III. of "The Ontario Voters' Lists Act," in which case the oath to be taken shall be in accordance with form 18 in the said schedule. Rev. Stat. c. 7.

(*b.*) Where the person offering to vote is an unenfranchised Indian whose name appears on a voters' list or poll book, he shall take the oath, form 19 or form 20 in the said schedule. 55 V., c. 3, s. 91 (1); 57 V., c. 4, s. 53. See also 55 V., c. 2, s. 2. Oath of unenfranchised Indian.

(*c.*) Where the person offering to vote is a resident of an incorporated village which lies within two or more electoral districts and the Lieutenant-Governor in Council has issued a proclamation under section 12 of "The Revised Statute respecting Representation of the People in the Legislative Assembly" by reason of which the electors entitled to vote in the village are entitled to vote in the electoral district in which they would have been entitled to vote if such village had not become incorporated, a change of residence from one part of the village to another, shall not deprive a person whose name is in the voters' list of his right to vote; and in the oath to be administered to any such person desiring to vote, the words "and that you are still actually and in good faith a resident of and domiciled within this village," shall be substituted for the words "and are now actually and in good faith a resident of and domiciled within this electoral district." This provision shall also apply to the village of Stouffville. R. S. O. 1887, c. 7, s. 12 (2); 60 V., c. 15, sched. A (4). Oath where voter lives in incorporated village belonging to two districts. Rev. Stat. c. 6.

(2.) The expression "proper list of voters" in this section shall mean the list of voters to be used at an election to the Legislative Assembly within the meaning of sections 77 to 83 inclusive of this Act; and no person entitled to vote as a manhood suffrage voter under the provisions of this Act shall be debarred from voting at any election under this Act because there is not entered after or opposite his name in the proper column of the voters' list in the poll book either the letters "M.F." or any other letters, description, matter, or particular required, or directed to be entered after or opposite his name in any such column either by this Act or any other Act whatsoever.

(3.) Except as in this Act otherwise specially provided, no other oath or affirmation shall be required of a person whose name is entered on any such list of voters as aforesaid. 55 V., c. 3, s. 91 (2, 3).

[*For special provisions as to the votes of persons entitled to vote on certificate of the Board of Appeal under "The Manhood Suffrage Registration Act," and providing for the erasure from the list of the names of the persons who are struck off on appeal under that Act, see Rev. Stat.* 1897, *Cap.* 8, *sec.* 28 (4, 5), *and sec.* 30. *For additional oaths in case of Indians see supra sec.* 15.]

99. Whenever a deputy returning officer has reason to know or believe that fraud or violence is being practised in violation of the rights of electors, by which undue votes are tendered, or that a person offering to vote is not qualified, or has already voted at the election and offers to vote again, or tenders his vote under a false name or designation, or personates or represents himself falsely as being on the list of voters in the poll book, the deputy returning officer, under a penalty of $200, shall administer the oath authorized by law to the voter, whether he be required to do so or not by any party; and mention thereof shall be made in the list of voters as aforesaid. 55 V., c. 3, s. 94. Deputy Returning Officer must swear voters in certain cases. Penalty.

100. The deputy returning officer shall take all necessary precautions for concealing, and shall conceal, as far as possible, from all persons present (including the poll clerk and the agents of the candidates, as well as all other persons), the number printed upon the ballot paper delivered to any person, and upon the counterfoil which was attached thereto, and shall not permit the counterfoil to be inspected by any person. 55 V., c. 3, s. 95. Deputy to conceal number on the ballot paper.

101. The deputy returning officer may, and upon request shall, either personally or through his clerk, explain to the person offering to vote, as concisely as possible, the mode of voting, and the colours in which the numbers and names of candidates are printed on the ballot paper. 55 V., c. 3, s. 96. Deputy to explain mode of voting.

102. Whenever an elector does not understand the English language, the deputy returning officer may employ an interpreter to translate the oath or affirmation required of the elector, as well as any lawful questions necessarily put to him, and his answers; and the interpreter shall take before the deputy returning officer the oath (or if he be one of the persons permitted by law to affirm in civil cases, the affirmation) following:— Interpreter may be employed in certain cases.

"I swear (*or* affirm) that I will faithfully translate such oaths, declarations, question and answers as the deputy returning officer shall require me to translate at this election: So help me God." Oath.

55 V., c. 3, s. 97.

103. Upon receiving from the deputy returning officer the ballot paper so prepared as aforesaid, the person receiving the same shall forthwith proceed into one of the compartments provided for the purpose, and shall then and therein mark his ballot paper in the manner mentioned in the directions contained in form 12 in schedule A to this Act, by placing a cross thus X, on the right hand side, opposite the name of the candidate for whom he desires to vote, or at any other place within the division which contains the name of such candidate; and he shall then fold the ballot paper across so as to conceal the names of the candidates, and the mark upon the face of such paper, and so as to expose the initials of the deputy returning officer, and leaving the compartment, shall, without delay and without showing the front to any one, or so displaying the ballot paper, as to make known to any person the name of the candidate for or against whom he has marked his vote, deliver the ballot paper so folded to the deputy returning officer, who shall, without unfolding the same, or in any way disclosing the names of the candidates, or the mark made by the elector, verify his own initials, and at once deposit the same in the ballot box in the presence of all persons entitled to be present, and then present in the polling place; and the voter shall forthwith leave the polling place. 55 V., c. 3, s. 98. Voter marking ballot paper.

Exclusion from balloting compartment.

104. While a voter is in a balloting compartment for the purpose of marking his ballot paper, no other person shall be allowed to enter the compartment, or be in any position from which he can observe the mode in which the voter marks his ballot paper. 55 V., c. 3, s. 99.

Voter not to take his paper from polling place, &c.

105. No person who has received a ballot paper or tendered ballot paper from the deputy returning officer shall take the same out of the polling place; and a person having so received a ballot paper or tendered ballot paper, who leaves the polling place without first delivering the same to the deputy returning officer in the manner prescribed, shall thereby forfeit his right to vote, and the deputy returning officer shall make an entry in the voters' list, in the poll book in the column for remarks to the effect that such person received a ballot paper, but took the same out of the polling place, or returned the same declining to vote, as the case may be, and in the latter case the deputy returning officer shall immediately write the word "Declined" upon the ballot paper, and shall preserve it to be returned to the returning officer. 55 V., c. 3, s. 100.

Proceedings in case of incapacity to mark paper.

106. In case of an application by a person claiming to be entitled to vote, who is unable to read or who is incapacitated by blindness or other physical cause from marking his ballot paper, and in case such person makes a declaration that he is unable to read or that he is incapacitated as aforesaid the proceedings shall be as follows:—

(1.) The deputy returning officer shall, in the presence of the agents of the candidates, cause the vote of such person to be marked on a ballot paper in manner directed by such person, and shall cause the ballot paper to be placed in the ballot box.

(2.) The deputy returning officer shall state or cause to be stated in the poll book by an entry opposite the name of such person in the proper column, that the vote of such person is marked in pursuance of this section, and the reason why it is so marked; he shall also make a corresponding entry in form 9 in said poll book, and in the proper columns thereof, giving the name of such person in the poll book and the cause of inability.

(3.) The declaration of inability to read or mark a ballot paper may be according to form 23 in schedule A to this Act, and shall be made by the person claiming to be entitled to vote, at the time of the polling, before the deputy returning officer, who shall attest the same as nearly as may be according to form 24 in schedule A to this Act, and the said declaration shall be given to the deputy returning officer at the time of voting. 55 V., c. 3, s. 101.

Proceedings in case an elector applies for a paper after another has voted as such elector.

107. If a person representing himself to be a particular elector named on the list of voters in the poll book applies for a ballot paper after another person has voted as such elector, the applicant shall, upon duly taking the oath authorized by law to be administered to voters at the time of polling, be entitled to mark a tendered ballot paper; the tendered ballot paper shall be given to the deputy returning officer, and shall be placed by him in an envelope, which shall be securely sealed, and upon the envelope he shall make an endorsation indicating the election at which, and the polling subdivision in which the same is used, and the deputy returning officer shall then deposit the envelope in the ballot box; and the vote upon the tendered ballot paper shall not be counted by the deputy returning officer; and the name of such person shall be endorsed upon the counterfoil by the deputy returning officer; and the deputy returning officer shall, in the proper schedule in the poll book, being form 8 in such poll book, enter the name of such person or cause the same to be so entered. 55 V., c. 3, s. 102.

Proceedings in case a person claims to vote and that his name has been improperly omitted from list of voters.

108. If a person whose name is not entered on list of voters in the poll book delivered to the deputy returning officer claims that his name is on the voters' list, or on one of the copies of the voters' list, certified by the judge, and has been by mistake or otherwise omitted from the list in the poll book delivered to the deputy returning officer, such person shall, upon duly taking an oath according to form 25 in schedule A to this Act, or to the like effect, be entitled to mark a tendered ballot paper; and such tendered ballot paper, instead of being put into the ballot box, shall be given to the deputy returning officer, and shall be placed by him in an envelope and deposited in the ballot box in the manner directed by the last preceding section with reference to the ballot papers marked in pursuance thereof; and the tendered ballot paper shall not be counted by the deputy returning officer; and the name, place of residence and occupation or calling of such person shall be endorsed upon the counterfoil by the deputy returning officer, and the deputy returning officer shall enter or cause to be entered in the proper schedule in the poll book being form 8 in such book, the name, place of residence and occupation or calling of such person. 55 V., c. 3, s. 103.

Proceedings in case ballot paper spoiled so that it cannot be used.

109. A person claiming to be entitled to vote, who has inadvertently dealt with his ballot paper in such a manner that it cannot be conveniently used as a ballot paper, may on delivering to the deputy returning officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the deputy returning officer, obtain another ballot paper in the place of the ballot paper so delivered up, and the deputy returning officer shall immediately write the word "Cancelled" upon the ballot paper and upon the counterfoil, and preserve the ballot paper to be returned to the returning officer. 55 V., c. 3, s. 104.

What shall be deemed a tender of a vote and a voting.

110. Every person applying for a ballot paper under this Act shall be deemed to tender his vote, or to offer or assume to vote; and any person shall be deemed to have voted who has put his ballot paper into the ballot box, or has caused the same to be put into the ballot box, or has delivered the same to the deputy returning officer or poll clerk, for the purpose of having the same put into the ballot box. 55 V., c. 3, s. 104*a*.

Who may be present at polling place.

111. During the time appointed for polling no person shall be entitled or permitted to be present in a polling place, other than the officers, candidates, clerks or agents authorized to attend at such polling place, and such persons as are for the time being actually engaged in voting; but it shall at all times be lawful for the deputy returning officer to have present, or to summon to his assistance in the polling place, any police constable or peace officer for the purpose of maintaining order, or of preserving the public peace, or preventing a breach thereof, or of removing any person or persons who may, in the opinion of the deputy returning officer, be obstructing the polling or wilfully violating any of the provisions of this Act. 55 V., c 3, s. 105.

Counting of votes.

112. Immediately after the close of the poll in every polling place, the deputy returning officer shall, in the presence of the poll clerk, and of such of the candidates or of their agents as may then be present, open the ballot box, and proceed to count the votes as follows:—

Ballot papers to be examined.

(1.) He shall examine the ballot papers, to ascertain if they are the ballot papers which he supplied, and such examination shall be made and completed before opening any of the ballot papers, and for the purpose of so ascertaining he shall, after opening the ballot box proceed first to count the whole number of ballot papers in the box without opening any of them, and if the number corresponds with, or does not exceed the number of persons who voted, no further examination to ascertain as aforesaid shall be made. If the number of ballot papers in the box exceeds the number of persons who voted he shall, without opening the ballot papers, examine the backs thereof so far as may be necessary to see his name or initials, and shall, except as provided in the next subsection, reject any papers not having thereon his name or initials. After such examination is completed to the extent necessary he shall proceed to examine the ballot papers (or the ballot papers not rejected, as the case may be) in order to count up the votes given for each candidate, keeping the ballot papers with their printed faces upwards, and so that those present can without handling the ballots see clearly for whom they are marked. 55 V., c. 3, s. 106 (1); 63 V., c. 4, s. 13.

Deputy returning officer not to open ballots while counting or examining numbers.

When uninitialed ballot not to be rejected.

(2.) Where upon counting the whole number of ballot papers it is found that the number of ballot papers is the same as the number which has been given by the deputy returning officer to, and which were used by voters, the omission of the deputy returning officer to sign or stamp his name or initials on some of such ballot papers shall not be a ground for the rejection of the same. 58 V., c. 4, s. 15.

Ballot papers which are not to be counted.

(3.) Every ballot paper which has not been supplied by the deputy returning officer, or on which votes are given to more candidates than are to be elected, or on which anything in addition to the initials or name of the deputy returning officer on the back is written or marked by which the voter can be identified, shall be void and shall not be counted; but, subject to the provisions hereinbefore in this section contained as to the omission of the deputy returning officer to sign or stamp his name or initials upon a ballot paper, no word or mark written or made, or omitted to be written or made, by the deputy returning officer, on a ballot paper, shall avoid the same.

Objections to ballot papers.

(4.) The deputy returning officer shall take a note in form 10 in the poll book of any objection made by a candidate, or by his agent, or by any elector present, to any ballot paper found in the ballot box, and shall decide any question arising out of the objection; and the decision of the deputy returning officer shall be final, subject only to reversal on a recount by the county court judge, or on petition questioning the election or return.

Objections to be numbered.

(5.) Every objection to a ballot paper shall be numbered, and a corresponding number shall be placed on the back of the ballot paper, and shall be initialed by the deputy returning officer.

Rejected ballots to be endorsed.

(6.) The deputy returning officer shall endorse "Rejected" on every ballot paper which he may reject as invalid, and shall endorse "Rejection objected to," if any objection be made to his decision.

Statement of result.

(7.) The deputy returning officer shall then count up the votes given for each candidate upon the ballot papers not rejected, and make up a written statement according to form 21 in schedule A hereto, being form 11 in the poll book, of the number of votes given for each candidate, and of the number of ballot papers rejected and not counted by him, and the number of those rejected shall be entered in said poll book under the several heads following:—

Contents of statement of Deputy Returning Officer.

(*a.*) Number of papers rejected as wanting signature or initials of deputy returning officer;

(*b.*) Number of papers rejected as voting for more candidates than entitled to;

(*c.*) Number of papers rejected as having a writing or mark by which voter could be identified;

(*d.*) Number of papers rejected as unmarked or void for uncertainty;

and the said statement shall also show the total number of persons who have voted at such polling place, and shall forthwith be signed by the deputy returning officer and poll clerk and such of the candidates or their agents as may be present and desire to sign it. 55V., c. 3, s. 106 (2-6).

Only two agents for a candidate may be present.

113. No more than two agents for a candidate shall be entitled to be present at the same time at the counting of the votes. 55 V., c. 3, s. 107.

Deputies to certify the number of votes.

114. Every deputy returning officer shall, at the close of the poll, certify over his signature in form 11 in the poll book in full words, the total number of persons who have voted at the polling place at which he has been appointed to preside. 55 V., c. 3, s. 108.

Certificates of the state of poll.

115. At the close of the poll the deputy returning officer, on being requested so to do, shall deliver to each of the candidates or their agents, or in the absence of the candidates or agents, to the electors present representing the candidates respectively, a certificate of the number of votes given for each candidate, and of the number of rejected ballot papers, and he shall also forthwith make out the ballot paper account in the form required by section 118 of this Act. 55 V., c. 3, s. 109.

Deputy Returning Officers' duties after votes are counted.

116. (1.) Every deputy returning officer at the completion of the counting of votes after the close of the poll, shall, in the presence of the agents of the candidates, make up into separate packets, sealed with his own seal, and the seals of such agents of the candidates as desire to affix their seals, and marked upon the outside with the proper letter of the alphabet and a short statement of the contents of the packet, as in this section mentioned, the date of the day of the election, the name of the deputy returning officer, and the polling subdivision and electoral district:—

(*a.*) The used ballot papers which have not been objected to and have been counted;

(*b.*) The ballot papers which have been objected to but which have been counted;

(*c.*) The rejected ballot papers;

(*d.*) The unused ballot papers and the counterfoils of the ballot papers;

(*e.*) The spoiled ballot papers;

(*f.*) The tendered ballot papers;

(*g.*) The ballot papers given to voters who afterwards returned the same, declining to vote;

(*h.*) The declaration of "Inability to read" and "Physical incapacity," taken under section 106 of this Act, with the attestations thereto and all certificates received by the deputy returning officer, including any certificate issued to a voter under section 28 of "The Manhood Suffrage Registration Act." 55 V., c. 3, s. 110 (*a-h*); 57 V., c. 4, s. 31 (5).

Rev. Stat. c. 8.

(2.) After all the oaths have been taken and subscribed and all the entries made in the poll book as by this Act required, the deputy returning officer shall, in the presence of the candidates or their agents enclose the said poll book in a separate packet and write thereon the words "Poll book" and also the date of the election, the name of the deputy returning officer, the name or number of the polling subdivision, the municipality and the electoral district. 55 V., c. 3, s. 110*i*.

(3.) The candidates or agents present may, if they so desire, write their names respectively across the flap of each of the said envelopes or packages, after the same have been sealed. 63 V., c. 4, s. 14.

Packets to be placed in ballot box and delivered to Returning Officer.

117. (1.) The deputy returning officer shall enclose in the ballot box the packets mentioned in the preceding section, and shall immediately lock and seal the said box, and thereafter shall forthwith deliver it personally to the returning officer, and if he be unable to do so owing to illness or other imperative cause, he shall deliver such ballot box to the poll clerk, or where the poll clerk is unable to act, to some person chosen for the purpose of delivering the same to the returning officer, and shall on the outside thereof or on a ticket attached thereto write the name of the person to whom the said box has been delivered, and shall take a proper receipt therefor, and the person so chosen shall forthwith deliver such ballot box personally to the returning officer, and shall after such delivery make oath before the returning officer to the effect of form 29 to schedule A hereto.

(2.) The returning officer, upon the receipt by him of any ballot box, shall take every precaution for its safe keeping and for preventing any other person than himself and the election clerk from having access thereto, and shall immediately on the receipt of each box seal the same with his own seal in such a way that the box cannot be opened without the seal being broken, and he shall do this without effacing or covering the seal of the deputy returning officer thereon. 63 V., c. 4, s. 15.

Ballot paper account.

118. The poll book shall contain a statement made by the deputy returning officer, showing the number of ballot papers entrusted to him and accounting for them under the heads of (1) Counted; (2) Rejected; (3) unused; (4) Spoiled; (5) Tendered ballot papers; (6) Ballot papers given to voters, who afterwards returned the same, declining to vote; and (7) Ballot papers taken from the polling place; which statement shall be in form 22 in schedule A hereto, and being form 12 in the poll book, and is in this Act referred to as the "Ballot Paper Account." 55 V., c. 3, s. 112.

No scrutiny by Returning Officers.

119. No returning officer or deputy returning officer shall grant, make or enter into a scrutiny of the votes given at an election. 55 V., c. 3, s. 113.

Oath to be made by Deputy Returning Officer on close of poll.

120. The deputy returning officer who has kept and closed the poll, shall immediately after the closing thereof, make and subscribe, either before a justice of the peace for the county or district where he resides, or before the returning officer or the poll clerk, the oath, form 26 in schedule A to this Act, and being form 13 in the poll book. 55 V., c. 3, s. 114.

Oath to be made by Poll Clerk on close of poll.

121. Every poll clerk shall, immediately after the close of the poll at which he has acted, make and subscribe, either before a justice of the peace for the county or district in which he resides, or before the deputy returning officer, or before the returning officer, the oath, form 27 in schedule A to this Act, and being form 14 in the poll book. 55 V., c. 3, s. 115.

Delivery of ballot boxes to Clerk of Municipality.

122. Within two weeks after the close of the election, every deputy returning officer shall deliver the ballot box used in his polling subdivision to the Clerk of the Municipality within which the polling subdivision is situate; and the ballot boxes delivered to the clerk shall be preserved by him for use at future elections for the electoral district. 55 V., c. 3, s. 116; 63 V., c. 4, s. 16.

Counting of the votes by the Returning Officer.

123. (1.) The returning officer, after he has received the ballot boxes, shall, at the place and time named at the hustings for this purpose when granting a poll, open the ballot boxes and the packets containing the several poll books, but shall not open any of the other sealed packets, and from the statement of the poll contained in form 11 of the said several poll books shall cast up the number for each candidate; and as soon as he has thus ascertained the result of the poll, shall forthwith declare to be elected the candidate having the highest number of votes. 63 V., 3s. 4, s. 17.

Casting vote.

(2.) Where an equality of votes is found to exist between the candidates, and the addition of a vote would entitle any of the candidates to be declared elected, the returning officer may give an additional vote, but shall not in any other case be entitled to vote at an election for which he is returning officer. 55 V., c. 3, s. 117 (2).

Recount of Ballots.

Recount of votes by the County Judge.

124. (1.) In case it is made to appear on the affidavit of a credible witness, to the county judge of any county in which the electoral district or any part thereof is situated, at any time before the returning officer makes his return, that a deputy returning officer at an election in the electoral district has in counting the votes improperly counted or rejected any ballot papers, the county judge may, where the majority for the successful candidate is under 200 votes, appoint a time, within the time hereinafter limited, to recount the votes, and shall give notice in writing to the candidates or their agents of the time and place at which he will proceed to

recount the same. In case it is made to appear to the county judge that by reason of a defect in the return made by any deputy returning officer to the returning officer the latter is of the opinion that he is not entitled to count and does not count the number of ballots deposited at any one or more polling places, then though the majority for the successful candidate exceeds 200 votes, the judge may count the ballots not included in the returning officer's summary as aforesaid and may direct the returning officer to include in such summary, and in the returns to be made by him, the ballots from any subdivision so rejected as aforesaid by the returning officer on account of such defect, in accordance with the count by the judge.

Recount by District Judge.

(2.) Where there is a district judge, the application for a recount shall be made to him, or to one of the district judges if there are more than one having jurisdiction in the electoral district or some part thereof; and those sections of this Act which provide for or regulate a recount by a county judge shall apply to a recount by a district judge.

Before whom affidavit for recount may be made.

(3.) The affidavit required in order to obtain a recount of votes, may be made before either a commissioner for taking affidavits, or a justice of the peace, or the election clerk.

Time within which application to be made.

(4.) The application for the appointment is to be made within four days after the returning officer has, under section 123, cast up the number of votes for each candidate, and subject to a recount, ascertained the result of the poll, and declared the candidate having the highest number of votes.

Time appointed for recount.

(5.) The time appointed for the recount shall not be more than four days from the date of the appointment.

Notice of Recount.

(6.) Notice of the time appointed for the recount shall be served on the candidates appearing to be elected or their agents not less than two days before such time, or within such other time as the judge may direct.

Attendance of Clerk of Court.

(7.) The judge may require the clerk of the county or district court as the case may be, to be present at any recount of votes. 55 V., c. 3, s. 118; 62 V. (2), c. 5, s. 2; 63 V., c. 4, s. 18.

Who may be present on recount.

125. The county judge, the returning officer and his election clerk, and the candidates, and one agent for each candidates, appointed in writing by the candidate to attend, shall be entitled to be present during the proceedings, and if any candidate is not present in person two agents for such candidate appointed as aforesaid, shall be entitled to be present; and, except with the sanction of the county judge, no other person shall be present at such recount of the votes. 55 V., c. 3, s. 119.

Conduct of recount.

126. At the time and place appointed, the county judge shall proceed to recount all the votes or ballot papers returned by the several deputy returning officers, and shall, in the presence of the parties aforesaid, if they attend, open the sealed packets containing—(1) The used ballot papers which have not been objected to and which have been counted; (2) The ballot papers which have been objected to but which have been counted; (3) The rejected ballot papers; (4) The spoiled ballot papers, and no other ballot papers or counterfoils; and in recounting the votes care shall be taken that the mode in which and particular elector has voted shall not be discovered. 55 V., c. 3, s. 120.

The recount to be a continuous proceeding.

127. The county judge shall, as far as practicable, proceed continuously with the recount of the votes, allowing only time for refreshment, excluding only Sundays and, on other days (except so far as he and the parties aforesaid agree), the hours between six o'clock in the evening and nine on the succeeding morning. During the excluded time the county judge shall keep the ballot papers and other documents relating to the election under his own seal and the seals of such other of the parties as desire to affix their seals, and shall otherwise take precautions for the security of such papers and documents. 55 V., c. 3, s. 121.

Procedure on recount.

128. (1.) The county judge shall proceed to recount the votes according to the rules set forth in sections 112 and 113 of this Act, and shall verify or correct the ballot paper account and statement of the number of votes given for each candidate; and upon the completion of such recount, or as soon as he has thus ascertained the result of the poll, he shall seal up all the ballot papers in separate packets, and shall certify the result to the returning officer, who shall then declare to be elected the candidate having the highest number of votes, and in case of an equality of votes, the returning officer shall have the casting vote, as provided in section 123 of this Act. 55 V., c. 3, s. 122; 60 V., c. 14, s. 38 (7).

(2.) The judge shall delay sending his certificate to the returning officer for two days after the completion of the recount in order to allow of an appeal as hereinafter provided.

(3.) In case no notice of appeal is given to the county or district judge within two days after the completion of the recount, the judge shall certify the result to the returning officer forthwith. 60 V., c. 14, s. 38, part.

Appeal from decision of judge on recount.

129. (1.) In case either of the candidates desires to appeal from the decision of the county or district judge on a recount he may do so by giving notice in writing to the other candidate and to the judge of his intention within two days after the completion of such recount and he may by the notice limit the appeal to certain specified ballots. The notice may be served upon the candidate personally, or upon the solicitor who acted for him upon the recount by leaving the notice with such solicitor personally or at his office.

(2.) Where the appeal is limited as aforesaid the county or district judge shall seal up the ballot papers which are the subject of appeal in a separate packet and shall forward the same together with the notice and a certificate showing his findings as to the ballots in dispute by registered letter to the registrar of the court of appeal, but if the appeal is not limited then the judge shall forward all the ballots and other papers to the registrar in manner aforesaid, and shall await the result of the appeal before sending his certificate to the returning officer under section 128. The judge shall upon request allow each party to make a copy of the certificate of his findings before the same is forwarded to the registrar of the court of appeal.

(3.) On receipt of the ballots and notice the registrar shall forthwith obtain an appointment from one of the judges of the court of appeal for proceeding with the matter and shall inform the parties or their solicitors of the time so appointed.

(4.) The time appointed for hearing the appeal shall be not more than four days from the date of the appointment.

(5.) At the time appointed the judge shall proceed to recount the ballots or such of them as are the subject of appeal, and shall forthwith certify his decision to the county or district judge, and it shall be the duty of such judge to conform to the said decision, and to certify the result of the recount without delay to the returning officer in accordance therewith.

Costs of appeal.

(6.) The judge of the court of appeal may direct by and to whom the costs of the appeal shall be paid, and shall make his order accordingly. 60 V., c. 14, s. 38, part.

Returning Officer not to make return till receipt of certificate from county judge.

130. The returning officer, after the receipt of a notice from the county judge of such recount of ballots, shall delay making his return to the Clerk of the Crown in Chancery until he receives a certificate from the county judge of the result of the recount, and upon receipt of such certificate the returning officer shall proceed to make his return as provided in this Act. 55 V., c. 3, s. 123.

Production and custody of ballot papers on a recount.

131. In case of a recount of votes or ballot papers under the preceding seven sections of this Act, the returning officer shall, on a written notice from the judge, produce the ballot papers at the time and place appointed for the recount, and the same shall continue in the custody of the returning officer; and he shall continue to be responsible therefor, subject to any directions which the judge may give in respect of the said ballot papers. 55 V., c. 3, s. 124.

Proceeding in Case of Loss or Injury of Voters' List or other Documents.

Proceedings in case poll book is stolen, &c.

132. (1.) In case a poll book or part thereof is stolen or taken from its lawful place of deposit for the time being, or has been lost or destroyed, or otherwise placed beyond the reach of the deputy returning officer to whom the custody of such poll book for the time being belonged, at any time before he has made his return of the same to the returning officer, the deputy returning officer shall attend personally on the returning officer, and report to him the fact of the loss of the said poll book or any part thereof; and the poll clerk of the deputy returning officer, so soon as he is informed of the loss personally or by letter, either by or from the deputy returning officer, or by the returning officer himself or has other good reasons for believing that the loss has occurred, shall forthwith attend personally on the returning officer.

Examination of Deputy Returning Officer and Poll Clerk, &c.

(2.) The returning officer shall examine the deputy returning officer and poll clerk or other person upon oath or affirmation, as the occasion may require, as to the loss of the said poll book and the contents thereof, which examination shall be taken down by him in writing and shall be subscribed by the deputy returning officer and poll clerk, and annexed to the return in lieu of the poll book.

Punishment of Deputy Returning Officer or Poll Clerk refusing to attend or be sworn.

(3.) If either the deputy returning officer or the poll clerk omits to attend on the returning officer as hereby required, or refuses to be sworn by the returning officer or to affirm as aforesaid, he shall incur a penalty of $200, and in case of his refusal to be sworn or to affirm as aforesaid, he may be committed by the returning officer to the common gaol of the county or district, until thence discharged by an order in that behalf made by the Legislative Assembly. 55 V., c. 3, s. 125; 62 V. (2), c. 5, s. 3.

Duty of Returning Officer believing any election documents to be altered, &c.

133. When the returning officer, having received a poll book or any other document connected with the election has reason to believe that the same has been altered, injured or obliterated, or that additions have been made thereto, or in case the deputy returning officer has failed to comply with any of the provisions of this Act as to proceedings after the close of the poll, he shall establish the true facts in the manner above provided in case of the loss of a poll book. 55 V., c. 3, s. 126; 62 V. (2), c. 5, s. 4.

Return, Preservation of Documents, &c.

Time within which return to be made to Clerk of the Crown in Chancery.

134. (1.) The returning officer shall make and transmit his return to the Clerk of the Crown in Chancery:—

(*a.*) Where the majority of the successful candidate is over two hundred, within ten days after he has ascertained the result of the poll, and

(*b.*) Where the majority of the successful candidate is under two hundred, after the fifth day from the day on which he receives the last return of any deputy returning officer, and within ten days after he has ascertained the result of the poll, unless he has received a notice from the county judge of a recount of ballots, in which case he shall delay making his return until he receives a certificate from the county judge of the result of the recount, and upon receipt of the certificate the returning officer shall proceed to make his return. 55 V., c. 3, s. 127; 63 V., c. 4, s. 19.

(2.) The returning officer shall with his return transmit to the Clerk of the Crown in Chancery a statement in accordance with form 31 annexed to this Act, and shall add up and give the totals of the figures in each column of such form. 63 V., c. 4, s. 19.

Returning Officer to transmit to Clerk of the Crown in Chancery the ballot papers, &c.

135. (1.) The returning officer shall at the same time transmit to the Clerk of the Crown in Chancery, enclosed in a box or other covering, sealed with the seal of the returning officer, all the packets of ballot papers in his possession, declarations of inability to read or mark, packets of counterfoils, poll book and all other documents sent by the deputy returning officers, endorsing on the package a description of its contents, and the date of the election to which they relate, and also the name of the electoral district for which the election was held, and the return and the package, so directed as aforesaid to be transmitted to the Clerk of the Crown in Chancery, may be transmitted by express or through the post office, after having been duly registered. 55 V., c. 3, s. 128.

Oath of Returning Officer after transmitting return.

(2.) An oath to the effect set forth in form 30 in schedule A to this Act shall be taken by every returning officer forthwith after transmitting his return to the Clerk of the Crown in Chancery, and the said oath shall be thereupon forthwith transmitted by him to the Clerk of the Crown in Chancery, by post and in an envelope duly registered. 55 V., c. 3, s. 128*a*.

Returning Officer to transmit duplicate of return to each candidate.

136. The returning officer shall also, before transmitting his return to the Clerk of the Crown in Chancery, upon application deliver to each of the candidates, or their agents, or if no application is made, shall, within the same period, transmit by mail to each candidate a duplicate of the return, which duplicate shall stand in lieu of an indenture. 55 V., c. 3, s. 129.

Clerk of Crown in Chancery (unless otherwise ordered) to destroy election documents after one year.

137. (1.) The Clerk of the Crown in Chancery shall retain for the period of one year all documents relating to an election forwarded to him by a returning officer, in pursuance of this Act, and then, unless otherwise directed by a rule or order of the Court of Appeal or a judge thereof, or a judge on the *rota* for the trial of election petitions, he shall destroy the same by fire. 55 V., c. 3, s. 130.

Preservation of documents.

(2.) The Clerk of the Crown in Chancery shall keep all documents relating to a general election in a room or vault separate from those in which documents relating to bye-elections are placed. He shall also provide the returning officers with labels to be affixed to the outside of the box or other covering in which papers are transmitted showing distinctly the electoral district to which the papers relate and the date of the election.

(3.) In case an order or rule is made directing that documents relating to an election are not to be destroyed under this section the said clerk shall cause to be affixed to the outside of the box or covering containing such documents a label having thereon in large and distinct letters the words "not to be destroyed." 63 V., c. 4, s. 20.

Returning Officer may be sued for neglecting to return any person duly elected.

Rev. Stat. c. 11.

138. If a returning officer wilfully delays, neglects or refuses duly to return to serve in the Legislative Assembly for an electoral district, a person who ought to be so returned, such person may, in case it has been determined on the hearing of an election petition under "The Ontario Controverted Elections Act," that such person was entitled to have been returned, sue the returning officer for having so wilfully delayed, neglected or refused duly to make the return of his election in any Court of Record in Ontario, and shall recover double the damages he has sustained by reason thereof, together with full costs of suit, provided the action be commenced within one year after the commission of the act on which it is grounded, or within six months after the conclusion of the trial relating to the election. 55 V., c. 3, s. 131.

Publication of Return.

Notice of return in *Ontario Gazette.*

139. The Clerk of the Crown in Chancery shall, on receiving the return of a member elected to the Legislative Assembly, give in the next ordinary issue of the "Ontario Gazette," notice of the receipt of the return, the date of such receipt, and the name of the candidate elected. 55 V., c. 3, s. 132.

Inspection of Documents.

Inspection of rejected ballot papers, &c.

140. (1.) No person shall be allowed to inspect rejected ballot papers or ballot papers objected to under section 112 of this Act in the custody of the Clerk of the Crown in Chancery, except under an order of the Court of Appeal or a judge thereof, or of a judge on the *rota* for the trial of election petitions; such rule or order to be granted by the court or judge on being satisfied by evidence on oath that the inspection or production of the ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition questioning an election or return; and the order for the inspection or production of ballot papers may be made, subject to such conditions as to persons, time, place, and mode of inspection or production, as the court or judge making the same may think expedient, and shall be obeyed by the Clerk of the Crown in Chancery. 55 V., c. 3, s. 133.

Inspection to be under supervision of Registrar of Court of Appeal.

(2.) When an order for inspection is made under this section the Clerk of the Crown in Chancery shall seal up securely the ballots, documents and papers which are to be inspected and shall deliver them in person or shall cause them to be delivered by some trustworthy person so sealed to the Registrar of the Court of Appeal, at his office in Osgoode Hall. The inspection shall take place under the immediate supervision of the said registrar, who shall be present during such inspection. In the event of the registrar requiring to be temporarily absent he shall select some other officer of rank at Osgoode Hall, who shall at his request take his place, so that the said ballots, papers and documents shall at all times during the said inspection be under the immediate observation of the said registrar or other officer. So long as the ballots, papers and documents are in the custody of the Registrar of the Court of Appeal, and when not under inspection, the same shall be kept in some secure place under lock and key. 62 V. (2), c. 5, s. 5.

Inspection of counterfoils and counted ballot papers

141. (1.) No person shall, except by order of the court or judge as aforesaid, open the sealed packets of counterfoils after the same have been once sealed up, and no person shall, except by order of a tribunal having cognizance of petitions complaining of undue returns or undue elections, be allowed to inspect the counted ballot papers (other than ballot papers objected to under section 112 of this Act) in the custody of the Clerk of the Crown in Chancery; and the orders may be made subject to such conditions as to persons, time, place, and mode of opening or inspection as the court, judge, or tribunal, making the order may think expedient, and shall be obeyed by the Clerk of the Crown in Chancery.

(2.) On making and carrying into effect any such order, care shall be taken that the mode in which any particular elector has voted be not discovered until he has been proved to have voted, and his vote has been declared by a competent tribunal to be invalid. 55 V., c. 3, s. 134.

Inspection of other documents.

142. All documents forwarded by a returning officer in pursuance of this Act to the Clerk of the Crown in Chancery, other than ballot papers and counterfoils, shall be open to public inspection at such time and under such regulations as may be prescribed by the Clerk of the Crown in Chancery with the consent of the Speaker of the Legislative Assembly; and the Clerk of the Crown in Chancery shall supply copies of or extracts from the documents to any person demanding the same, on payment for the same at the rate of ten cents for each folio of one hundred words, and in computing the number of words in the copy or extract every figure shall be counted as a word. 55 V., c. 3, s. 135.

Evidence as to documents, ballot papers, &c., in certain cases.

143. Where an order is made for the production by the Clerk of the Crown in Chancery of any document in his possession relating to a specified election, the production of the document by the clerk or his agent, in such manner as may be directed by the order, shall be conclusive evidence that the document relates to the specified election; and any endorsement appearing on any packet of ballot papers produced by the Clerk of the Crown in Chancery or his agent, shall be evidence of the papers being what they are stated to be by the endorsement; in the case of tendered ballot papers marked in the manner hereinbefore provided by persons not named in the list of voters aforesaid, the production, from the proper custody, of any such ballot paper purporting to have been used at an election, and of a counterfoil, and having a name written thereon other than the name of the deputy returning officer, shall be deemed *prima facie* evidence that the person who voted by the ballot paper was the person whose name was so written as aforesaid on the counterfoil. 55 V., c. 3, s. 136.

Preservation of the Peace at Elections.

Returning Officers and Deputies to be conservators of the peace.

144. From the time when a returning officer or deputy returning officer has taken and subscribed the oath of office until the day next after the final closing of the polls at the election, the returning officer and every deputy returning officer, shall respectively be conservators of the peace, and for the maintenance of the peace, and for the arrest, detention, or admission to bail, trial and conviction of any person or persons who break the law or trouble the peace shall be invested with the same powers with which justices of the peace are invested in this province. 55 V., c. 3, s. 137.

Justices, &c may be required to aid in keeping the peace.

145. Any returning officer or deputy returning officer may require the assistance of all justices of the peace, constables and other persons present at the election, whether at the place of holding the election, or at any polling place, to aid him in the maintenance of the peace and of good order at the election, and may also swear in as many special constables as he deems necessary. 55 V., c. 3, s. 138.

Special constables to be sworn in in certain cases.

146. On a requisition in writing made by a candidate or by his agent, or by any two or more electors, a returning officer or deputy returning officer shall swear in such special constables. 55 V., c. 3, s. 139.

Returning Officer or Deputy may order arrest of person disturbing the peace. Penalty.

147. Any returning officer or deputy returning officer may arrest or cause to be arrested, by verbal order, and may place in the custody of one or more constables or other persons for such time as in his discretion he deems expedient, any person disturbing the peace and good order, or may cause such person to be imprisoned for any such offence, under an order signed by him for a period not later than the final closing of the election or of the poll, respectively; which order all persons shall obey without delay under a penalty of $20 for any refusal or neglect so to do. 55 V., c. 3, s. 140.

Such arrest not to prevent other punishment.

148. No such arrest, detention or imprisonment shall in any manner exempt the person so arrested, detained, confined or imprisoned, from any punishment or penalty to which he has become liable by reason of anything by him done contrary to the true intent and meaning of this Act or otherwise. 55 V., c. 3, s. 141.

Returning Officer or Deputy may demand surrender of all weapons.

Penalty.

149. A returning officer or deputy returning officer may, during any part of the day whereon an election is to be begun, holden or proceeded with, or on which a poll for an election is to be begun, holden or proceeded with, demand and receive from any person whomsoever, any offensive weapon, such as firearms, swords, staves, bludgeons or the like, with which any such person is armed, or which any such person has in his hands or personal possession; and every person who upon demand declines or refuses to deliver up to the returning officer or deputy returning officer, any offensive weapon as aforesaid, shall incur a penalty of $20. 55 V., c. 3, s. 142.

Penalty on persons convicted of battery.

150. Every person convicted of a battery committed during any part of any day whereon an election, or any poll for an election is to be begun, holden or proceeded with, within the distance of two miles of the place where the election or poll is so begun, holden, or proceeded with, shall incur a penalty of $50. 55 V., c. 3, s. 143.

Restrictions as to carrying arms while poll is open.

151. With the exception of the returning officer, the election clerk, the deputy returning officer or the poll clerk, or one of the constables or special constables appointed by the returning officer or the deputy returning officer for the orderly conduct of an election or poll, and the preservation of the public peace thereat, no person who has not had a stated residence in the township or union of townships or ward, or subdivision for at least six months next before the day of the election, shall come during any part of the day upon which the poll is to remain open, into the township or union of townships, ward, or subdivision, armed with offensive weapons of any kind, such as firearms, swords, staves, bludgeons or the like; nor shall any person whomsoever being in the township, union of townships, ward, or subdivision, arm himself, during any part of the day, with such offensive weapons, and thus armed approach within the distance of two miles of the place where the poll for such subdivision is held, unless called upon to do so by lawful authority. 55 V., c. 3, s. 144; 60 V., c. 15, Sched. A (51).

Party ensigns, flags, &c., not to be supplied or carried during the election or within eight days before it.

152. No candidate for the representation of any electoral district, or any other person, shall furnish or supply any ensign, standard, or set of colours, or other flag, to or for any person or persons whomsoever, with intent that the same should be carried or used in such electoral district on the day of election, or within eight days before such day, or during the continuance of the election or polling, by such person or any other, as a party flag, to distinguish the bearer thereof and those who might follow the same, as the supporters of such candidate, or of the political or other opinions entertained or supposed to be entertained by such candidate:

Nor shall any person for any reason carry or use any ensign, standard, set of colours, or other flag, as a party flag within the electoral district on the day of the election or polling or within eight days before such day, or during the continuance of the election. 55 V., c. 3, s. 145.

Party badges, &c., not to be supplied or used.

153. No candidate for the representation of any electoral district, or any other person, shall furnish or supply any ribbon, label or other favour, to or for any person whomsoever, with intent that the same should be worn or used within the electoral district on the day of election

or polling, or within eight days before such a day, or during the continuance of the election, by such person or any other as a party badge to distinguish the wearer as the supporter of such candidate, or of the political or other opinions entertained, or supposed to be entertained, by such candidate:

Nor shall any person use or wear any ribbon, label, or other favour, as such badge, within the electoral district on the day of the election or polling, or within eight days before such day, or during the continuance of the election. 55 V., c. 3, s. 146.

154. Every person offending against any of the provisions of the next preceding three sections shall incur a penalty of $100. 55 V., c. 3, s. 147. Penalty.

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Election Expenses of Candidates.

197. (1.) No payment (except in respect of the personal expenses of a candidate), and no advance, loan or deposit for the purposes of the election, shall be made by or on behalf of a candidate at an election, before, or during, or after the election, otherwise than through an agent or agents whose name and address, or names and addresses, has or have been declared in writing to the returning officer on or before the day of nomination; or through an agent or agents to be appointed in his or their place as herein provided; and no person shall make any such payment, advance, loan or deposit for the purposes of the election otherwise than through such agent or agents. 55 V., c. 3, s. 189. Payments, &c., by or on behalf of candidates, except through named agents forbidden.

(*By* 61 *Vic., cap.* 5, *s.* 1, *the following subsections were added*):

(2.) "Personal expenses of a candidate," when used in this section shall include, among other things, the following expenses, and payment therefor may lawfully be made by the candidate personally: "Personal expenses of a candidate," what to include.

(*a.*) A reasonable and *bonâ fide* rent or hire of halls or other places used by the candidate personally in which to address public meetings of electors; and the expenses incurred in heating, lighting or cleaning same when necessary;

(*b.*) Tolls on toll roads;

(*c.*) The reasonable, ordinary and necessary hotel expenses of one speaker for each meeting (not including expenditure for treating) who accompanies the candidate and travels with him for the purpose of speaking at a public meeting to be addressed by the candidate;

(*d.*) Reasonable charges for the hire and keep of horses and hire of conveyances for the use of the candidate in travelling to and from public meetings and in canvassing in the constituency, and reasonable and ordinary charges for the services and maintenance of a driver when one is employed by the candidate;

(*e.*) The charges for use by the candidate personally of not more than one team and conveyance, and the services of a person as driver on the day of the poll; and the carriage of voters to the poll in such conveyance personally by the candidate shall not be a violation of this Act.

(3.) The onus of showing that the personal expenses so paid by the candidate, as aforesaid, were fair, reasonable and proper and not in excess of what is ordinarily paid for similar services and accommodation, shall be upon the candidate. Onus probandi.

(4.) Notwithstanding anything in this Act contained, the receipt of the ordinary and reasonable charges by the owner or posessor of a hall or room in which to hold *bonâ fide* public meetings for the purposes of the election, by a printer for printing voters' lists, election addresses or advertisements or notices of election meetings, or of a regularly established livery-keeper for the hire of horses and vehicles used in connection with and for the proper purposes of the election, except carrying voters to the polls by persons other than the candidate, acting in accordance with paragraph *e* of subsection 2 of this section, shall not disqualify the person so receiving the same from voting, and shall not be held within the meaning of the following words in the elector's oath, viz.: "Hire of team or any other service connected therewith." 61 V., c. 5, s. 1. Receipt of ordinary and reasonable charges, when not to disqualify voter.

198. In event of the death or legal incapacity of any agent appointed in pursuance of the preceding section the candidate shall forthwith appoint another agent in his place, by giving notice to the returning officer of the name and address of the person so appointed, which shall in like manner be forthwith published by the returning officer at the expense of the candidate. 55 V., c. 3, s. 190. On death or incapacity of an agent, appointment of another.

199. (1.) All persons who have any bills, charges or claims upon a candidate for or in respect of an election, shall send in such bills, charges or claims, within one month from the day of the declaration of the election to such agent or agents as aforesaid, otherwise such persons shall be barred of their right to recover such claims and every part thereof. Claims on candidate in respect of any election, when to be sent into agent.

(2.) In case of the death within the said month of any person claiming the amount of such bill, charge or claim, the legal representative of such person shall send in such bill, charge or claim, within one month after obtaining probate, or letters of administration, as the case may be, or the right to recover such claim shall be barred as aforesaid. Case of death of person making claim.

(3.) Such bills, charges and claims shall be sent in and delivered to the candidate, if, and so long as, during the said month, there is, owing to death or legal incapacity, no agent. Case of death of agent.

(4.) The agent shall not pay nor allow any bill, charge or claim without the authority of the candidate, as well as his own approval. 55 V., c. 3, s. 191. Agents not to pay without authority of candidate.

Payment of lawful accounts rendered after one month from election.

200. Notwithstanding anything in the next preceding section contained, any lawful election account which would have been payable if sent in within one month of the day of the declaration, may be paid by the candidate through his election agent, after that time if such account is approved by one of the judges of the High Court or by the county court judge (or one of the county court judges), of the county in which the election took place, and the judge makes an order to that effect, and not otherwise. All accounts allowed by a judge shall, within one week thereafter be advertised in the same newspapers as the other election accounts. 55 V., c 3, s. 191A.

A detailed statement of election expenses, &c., to be sent by agent to Returning Officers who shall publish abstract of same.

201. (1.) A detailed statement of all election expenses incurred by or on behalf of a candidate, payments in respect of his personal expenses, shall, within two months after the election (or in cases where, by reason of the death of the creditor, no bill has been sent in within such period of two months, then within one month after such bill has been sent in) be made out and signed by the agent, or, if there be more than one, by every agent who has paid the same (including the candidate in case of payments made by him), and delivered, with the bills and vouchers relative thereto, to the returning officer;

(2.) The returning officer for the time being shall, at the expense of the candidate, within fourteen days, insert or cause to be inserted an abstract of the statement, with the signature of the agent thereto, in some newspaper published or circulating in the Electoral District where the election was held;

Penalty.

(3.) Any agent or candidate who makes default in delivering to the returning officer the statement required by this section, shall incur a penalty not exceeding $25 for every day during which he so makes default; and no agent or candidate shall wilfully furnish to the returning officer an untrue statement. 55 V., c. 3, s. 192.

Returning Officer to preserve bills, &c., and allow inspection.

202. The returning officer shall preserve all such bills and vouchers, and shall during six months after they have been delivered to him permit any voter to inspect the same on payment of a fee of twenty-five cents. 55 V., c. 3, s. 193.

Fees and Expenses of Returning Officers, &c.

Tariff of fees.

203. The fees in Schedule B to this Act mentioned in respect of the several matters therein contained, and no others shall be allowed to the several officers therein mentioned respectively, for the services and disbursements in the said schedule specified. 55 V., c. 3, s. 194.

Payment of fees and expenses of Returning Officers.

204. The said fees, allowances and disbursements, together with the reasonable expenses incurred by the returning officer, and by the other officers and clerks, for printing, providing polling compartments, transmission of the packets required by this Act to be transmitted and reasonable fees and allowances for other services rendered under this Act, shall be paid over to the returning officer by warrant of the Lieutenant-Governor, directed to the Treasurer of the Province, and shall be distributed by the returning officer to the several officers and persons entitled to the same under the provisions of this Act, which distribution he shall report to the Lieutenant-Governor through the provincial secretary. 55 V., c. 3, s. 195.

In Algoma, Muskoka, Nipissing and Parry Sound.

205. The Lieutenant-Governor may direct the payment to the returning officers of the electoral districts of Algoma West, Algoma East, Muskoka, Nipissing and Parry Sound, out of the consolidated revenue fund, of such sums (over and above the allowance authorized by the preceding sections of this Act), as may be required to pay the expenses reasonably incurred by the returning officers, and by the other officers and clerks, in conducting the election, and reasonable fees and allowances for any extraordinary services rendered by them thereat. 55 V., c. 3, s. 196.

Miscellaneous Provisions.

Clerk of Legislative Assembly to be *ex-officio* Clerk of the Crown in Chancery.

206. The clerk of the Legislative Assembly shall be *ex officio* clerk of the Crown in Chancery, and shall discharge all the duties which by any statute, law, or usage ought to be done, or have heretofore been done, by the clerk of the Crown in Chancery. 55 V., c. 3, s. 197.

Property in ballot boxes, papers, &c., to be in Her Majesty.

207. The property in the ballot boxes, ballot papers, counterfoils, and marking instruments procured for or used at an election, shall be in Her Majesty. 55 V., c. 3, s. 198.

Certain persons disqualified from acting as agents. Penalty.

208. No person who, by section 4 of this Act, is disqualified and incompetent to vote, shall act as agent for a candidate at an election; and any person violating this enactment shall be subject to the same penalty as if he had voted at the said election. 55 V., c. 3, s. 199.

Candidates may undertake duties of agent.

209. A candidate may himself undertake the duties which any agent of his, except the agent whose appointment is required by section 197 might have undertaken, if appointed, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may in pursuance of this Act be authorized to attend. 55 V., c. 3, s. 200; 60 V., c. 15, sched. A (55).

Elector may act as agent of candidate.

210. At an election, whether on the day of the opening, or at the polling places opened and kept for the election, in the absence of any person authorized in writing to act as agent for an absent candidate, any elector in the interest of such candidate may, at any time during the election, declare himself to be and may act as the agent of such candidate without producing a special authority in writing for that purpose. 55 V., c. 3, s. 201.

Expressions referring to agents.

211. Where in this Act expressions are used requiring or authorizing any act or thing to be done, or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as may have been authorized to attend, and as have in fact attended at the time and place where such act or thing is being done; and the non-attendance of any agent or

Non-attendance of agents.

agents at such time and place shall not, if the act or thing be otherwise duly done, invalidate in anywise the act or thing done. 55 V., c. 3, s. 202.

Provision when election or polling not commenced or interrupted by reason of riot, &c.

212. In case, by reason of riot or other emergency, an election, or the voting at a polling place, is not commenced on the proper day, or is interrupted after being commenced, and before the lawful closing thereof, the returning officer or deputy returning officer, as the case may be, shall hold or resume the election or polling on the following day, at the hour of nine o'clock in the forenoon, and continue the same from day to day if necessary, until a fair opportunity for nominating candidates is given, or, in the case of polling, until the poll has been opened without interruption and with free access to voters for eight hours in all, or thereabouts, in order that all the electors so intending may have had a fair opportunity to vote. 55 V., c. 3, s. 203.

Sundays and holidays to be included in reckoning time.

213. Sunday and any day set apart by an act of lawful authority for a public holiday, fast or thanksgiving, shall be included in reckoning any period of time under this Act, but where anything is required by any section of this Act to be done on a day or date which falls on any of those days, or where the last day for doing anything or for taking any proceeding under this Act, falls on any of such days, such thing may be done on the next juridical day. 58 V., c. 4, s. 20.

Election not to be void in certain cases for want of compliance with directions of Act, where result not affected.

214. (1.) No election shall be declared invalid by reason of any irregularity in any of the proceedings preliminary to the polling or by reason of a failure to hold a poll at any place appointed for holding a poll, or by reason of a non-compliance with the directions contained in this Act as to the taking of the poll or the counting of the votes, or by reason of any mistake in the use of the forms contained in schedule A to this Act, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in this Act, and that such failure, non-compliance or mistake did not affect the result of the election. 55 V., c. 3, s. 205.

Irregularity on part of Returning Officer not to void election.

(2.) No election shall be held to be void for any irregularity on the part of the returning officer, unless it appears to the tribunal having cognizance of the question that the irregularity affected the result of the election. 58 V., c. 4, s. 18, part.

Administration of oaths, &c.

215. The returning officer shall have power to administer any of the oaths, affirmations, or take any of the declarations required with respect to the election; and any deputy returning officer or election clerk may administer such oaths, affirmations or take such declarations, except in cases where they are required to be administered to the returning officer. 55 V., c. 3, s. 207.

No charge for administering oaths.

216. Every person before whom it is hereby required that an oath be taken or an affirmation made in the manner herein provided, shall administer such oath or affirmation gratuitously. 55 V., c. 3, s. 208.

Transmission to Returning Officers of copies of this Act.

217. There shall be transmitted to every returning officer with the writ of election, such a number of copies of this Act, and of any Acts which may be passed amending the same, as will be sufficient to supply the returning officer and each deputy returning officer at the election with one copy at least; and every copy shall be accompanied with a copious alphabetical index. 55 V., c. 3, s. 209.

[*As to transmission of copies of chaps.* 8 *and* 10 *see cap.* 8, *s.* 52, *and as to inquiries into matters connected with elections and attempts to corrupt members of the Legislative Assembly, see cap.* 19.]

NOVA SCOTIA.

SIR, Government House, Halifax, Nova Scotia, May 4, 1906.

I HAVE the honour to acknowledge receipt of your despatch of the 21st April, transmitting a copy of the despatch from the Colonial Office, dated 31st March, respecting the machinery and cost of elections in the Dominion and requesting that the Honourable the Secretary of State be furnished with the desired information as far as this Province is concerned.

I have the honour to transmit a copy of the Nova Scotia Election Act, which will furnish the desired information, respecting the machinery of elections. On page , will be found a schedule* setting forth the fees payable to returning officers and others.

I also have the honour to transmit a copy of the Financial Returns for the Province for the year ending the 30th September, 1902. A general election was held in this Province in the preceding year, and on page 102† will be found the expenses in connection therewith.

I have, &c.,
D. C. FRASER,
Lieutenant-Governor.

The Honourable
The Secretary of State.

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* Not printed here.

† Page 81 in this Volume.

NOVA SCOTIA ELECTION ACT.

Being Chapter 5 of the Revised Statutes, 1900, "Of the Election of Members of the House of Assembly," and amendments thereto.

Printed by the King's Printer, for the Information and Guidance of Returning Officers, Presiding Officers, and others, in accordance with Section 128 of said Chapter.

Short Title.

1. This chapter may be cited as "The Nova Scotia Election Act."

Interpretation.

2. In this chapter, unless the context otherwise requires, the following expressions shall be construed in the manner in this section mentioned:

"Election" means an election of a member to serve in the House of Assembly.

"Polling district" means a polling district as constituted under this chapter or under "The Nova Scotia Franchise Act."

"List of voters" means the certified copy of the list of voters for a polling district furnished to the presiding officer by the returning officer under this chapter.

"Voter" means any male person entitled to vote at any election under the provisions of this chapter, or of "The Nova Scotia Franchise Act."

"Personal expenses" used with respect to the expenditure of any candidate in relation to the election at which he is a candidate, includes the reasonable travelling expenses of such candidate, and the reasonable expenses of his living at hotels or elsewhere for the purpose of and in relation to such election.

3. (1.) The sheriff of each county shall, as soon as the lists of voters for such county are deposited with the clerk or clerks of the municipal district or districts within such county, ascertain the number of voters entitled to vote at an election of members for the House of Assembly as shown by such lists in each polling district in such county.

(2.) If the number of such voters in any polling district exceeds three hundred, the sheriff shall divide such polling district into polling divisions in a convenient manner so that there shall be at least one polling division for every two hundred voters, and shall before the first of September next following such division set off the boundaries of each polling division so made by him.

(3.) If the number of such voters in any polling district does not exceed three hundred, the sheriff may divide such polling district if in his opinion the remoteness of any body of such voters from the usual polling station renders such division desirable.

(4.) The sheriff in dividing polling districts may, if he deems it expedient or more convenient for voters, include in any division parts of one or more polling districts.

(5.) Where any polling district is divided by the sheriff under this section, each division shall, for the purposes of this chapter, be deemed a polling district.

Returning Officer.

4. No commission shall be required for the appointment of a person as returning officer at any election, but the direction of a writ of election to a person named therein as returning officer shall be a sufficient appointment of the person as returning officer for the election.

5. Every writ of election shall be addressed to the sheriff of the county for which the election is to take place, and he shall be the returning officer at the election.

6. When a sheriff has died or has been removed from, or has resigned, his office of sheriff, and his successor has not been appointed, or where an investigation into the conduct of a sheriff has been ordered by the Governor-in-Council, and such investigation is pending, the writ of election, which should otherwise have been addressed to the sheriff, shall be addressed to such other person as the Governor-in-Council appoints as returning officer.

7. If the person to whom the writ should under the foregoing provisions be addressed, or to whom the writ has been addressed, refuses to act, or is absent, or incapacitated or unable from sickness or any other cause, to act as returning officer, the Governor-in-Council may appoint another person as returning officer.

8. (1.) None of the persons hereinafter mentioned in this section, shall, in any case, be appointed or act as returning officer, or as election clerk, or as presiding officer, or as poll clerk, that is to say:—

(*a.*) Members of the Executive Council;

(*b.*) Members of the Parliament of the Dominion of Canada or of the Legislature of this Province;

(*c.*) Judges of the Supreme Court of Nova Scotia and judges of the county courts;

(*d.*) Persons who have served in the Legislature of this Province as members of the House of Assembly or of the Legislative Council in the session next immediately preceding the election in question, or in the then present session, if the election takes place during a session of the Legislature.

(2.) If any one of the said persons is appointed to act, and acts, as returning officer, or as election clerk, or as presiding officer, or as poll clerk, he shall be liable to a penalty of one hundred dollars.

9. None of the persons hereinafter mentioned in this section shall, unless they are sheriffs,

be obliged to act as returning officer, or as election clerk, or as presiding officer, or as poll clerk, that is to say:—

(*a.*) Physicians and surgeons;

(*b.*) Postmasters;

(*c.*) Persons of the age of sixty years or upwards;

(*d.*) Persons who have previously served as returning officers.

10. Every sheriff and every other person having the qualifications required by this chapter for acting as returning officer, who refuses to perform the duty of returning officer at any election after having received the writ of election, shall, for such refusal, be liable to a penalty of two hundred dollars, unless such person, not being a sheriff, and having a right to claim the exemption granted by the next preceding section, has in fact claimed exemption by letter, setting forth the grounds of such exemption, forwarded to the provincial secretary within two days next after the receipt of the writ of election.

Two or more Vacancies at the same time.

11. Whenever two or more seats in the House of Assembly become vacant at or about the same time, the election to fill such vacancies shall take place and be held on one and the same day, and the polling at all elections where polls have been granted shall also take place on one and the same day.

Proceedings at Elections.

(1.) *Issue of Writs.*

12. All the writs for a general election shall be dated on the same day, and there shall be at least forty days between the date and the return of such writs.

13. Every writ of election shall be dated and be returnable on such day as the Governor-in-Council determines.

14. The Governor-in-Council shall fix the day for the nomination of candidates, and shall, at every general election, fix one and the same day for the nomination of candidates in all the counties, and the day so fixed for nomination shall be stated and inserted in the several writs in that behalf.

15. The day for the holding of the polls shall be the seventh day next after the expiration of the day fixed for the nomination of candidates, that is on the same or corresponding day of the week next after that upon which the nomination has taken place, or if such seventh day is a statutory holiday, then on the following day not being a Sunday or a statutory holiday.

16. There shall be sufficient time allowed between the issue of the writ and the day for nomination of candidates fixed as aforesaid to enable every returning officer to whom the writ is directed to give at least ten days' notice of the election before the day of nomination throughout the county to which the writ relates.

17. The writs of election shall be in the form A in the first schedule to this chapter, and shall be transmitted by mail to the respective returning officers, unless otherwise ordered by the Governor-in-Council.

(2.)—*Duties of Returning Officer and Clerks.*

18. The returning officer shall, on receiving the writ of election, forthwith indorse thereon the date on which he receives the same, and before taking any further action thereon, he shall take the oath of office in the form B in the first schedule to this chapter.

19. The returning officer, by a commission under his hand, and in the form C in the first schedule to this chapter, shall appoint an election clerk, and may, at any time, during the election, appoint, in the same manner, another clerk, if the one so appointed resigns, refuses to act, or is unable to perform his duties as such clerk.

20. The election clerk shall assist the returning officer in the performance of his duties, and act in his stead as returning officer whenever the returning officer refuses to act, or is disqualified or unable to perform his duties, and has not been replaced by another.

21. The election clerk shall, before acting as such clerk, take the oath of office in the form D in the first schedule to this chapter.

22.—(1.) The returning officer shall, at least ten days before the day fixed for the nomination of candidates, cause proclamation by printed handbills to be posted in four of the most public places in every polling district in the county in which the election is to be held.

(2.) The notice shall state—

(*a.*) The place and time fixed for the nomination of candidates.

(*b.*) The day on which the poll for taking the votes of the voters is to be held, in case a poll is demanded.

(*c.*) The several polling stations fixed by him, and the territorial limits to which they respectively apply.

(*d.*) The time when and the place where the returning officer will sum up the number of votes given to the several candidates.

(*e.*) The number of members to be elected.

Such proclamation shall be in the form E in the first schedule to this chapter.

23. The place fixed for the nomination of candidates shall be the court house in which the sittings of the Supreme Court for the county are held, and where there are two or more such court houses in a county, then the court house in which such nomination has heretofore been held.

(3.)—*Nomination of Candidates.*

24. The time appointed for the nomination of candidates shall be from the hour of eleven of the clock in the forenoon, until the hour of two of the clock in the afternon, of the day fixed for that purpose.

25. A candidate for a seat in the House of Assembly shall be a male British subject of the age of twenty-one years and upwards.

26. There shall be no public or political meeting held by the returning officer in connection with the proceedings for the nomination of candidates; he shall exclude from the room in the court house in which such proceedings take place all persons not having business before him in connection with the election, and shall preserve order and quiet.

27. (1.) Any two electors may nominate a candidate by signing a nomination paper in the form F in the first schedule to this chapter, stating therein the name, residence and addition or description of the person proposed, in such manner as to sufficiently identify such candidate, and by causing the said nomination paper to be filed with the returning officer at the time and place indicated in the said notice of election.

(2.) Each candidate shall be nominated by a separate nomination paper; but the same voters, or any of them, may subscribe as many nomination papers as there are members to be elected.

(3.) At the close of the time for nominating the candidates, the returning officer shall deliver to every candidate or agent of a candidate applying for the same a duly certified list of the names of the several candidates who have been nominated; and any votes given at the election for any other candidates than those so nominated shall be null and void.

28. (1.) No nomination paper shall be valid and acted upon by the returning officer unless it is accompanied by the consent in writing of the person therein nominated, except when such person is absent from the province—in which case such absence shall be stated in the nomination paper; and unless a sum of one hundred dollars is deposited in the hands of the returning officer at the time the nomination paper is filed with him; and the receipt of the returning officer shall, in every case, be sufficient evidence of the production of the nomination paper, of the consent of the candidate, and of the payment herein mentioned.

(2.) The sum so deposited by any candidate shall be returned to him in the event of his being elected, or of his obtaining a number of votes at least equal to one half the number of votes polled in favour of the candidate elected having the smallest number of votes, otherwise it shall belong to Her Majesty for the uses of this province.

(3.) No nomination paper shall be valid or acted upon as aforesaid unless the candidate or his authorized agent, if required by any other candidate or any voter or by the returning officer, makes oath that he is a British subject of the age of twenty-one years and upwards.

29. (1.) The returning officer shall require the person filing any such nomination paper to make oath before him that he knows that the several persons who have signed such nomination paper are voters duly entitled to vote, and that they have signed the same in his presence, and that the consent of the candidate has been signed in his presence, or that the person named as candidate is absent from the Province of Nova Scotia, as the case may be.

(2.) Such oath may be in the form G in the first schedule to this chapter.

30. Whenever only one candidate, or only such number of candidates as is required by law to be elected to represent the county for which the election is held, have been nominated within the time fixed for that purpose, the returning officer shall declare the candidate or candidates, as the case may be, duly elected for the said county, and shall make return to the writ of election accordingly, and such return shall be in form H in the first schedule.

31. The returning officer shall accompany his return to the writ of election with a report of his proceedings, and of any nomination proposed and rejected for non-compliance with the requirements of this chapter.

Withdrawal of Candidates.

32. Any person proposed at such election as a candidate may, at any time before one of the clock on the nomination day, by writing under his hand, or publicly and openly in the presence of the returning officer, direct his name to be withdrawn. In which case the returning officer shall immediately give public notice by proclamation, and thereupon such person shall not be considered a candidate.

Proceedings on Granting of Poll.

33. If more candidates than the number required to be elected for the county are nominated in the manner required by this chapter, the returning officer shall grant a poll for taking the votes of the voters, and shall cause to be posted up notices of his having granted such poll, indicating the names, residences, and occupations of the candidates so nominated, in the order in which they are to be printed on the ballot papers in this chapter mentioned; which notices shall, as soon as possible after nomination, be posted up at all the places where the proclamation of election was posted up, and shall be in the form I in the first schedule.

34. Whenever a poll has been granted, the same shall be opened at the hour of eight of the clock in the forenoon, and kept open until five of the clock in the afternoon of the day fixed for holding it; and the votes at the several polling stations shall be given on that day, and by ballot.

35. The ballot of each voter shall be a printed paper, in this chapter called a ballot paper, showing the names and description of each candidate alphabetically arranged in the order of their surnames, or if there are two or more candidates with the same surname, in the order of their first names; the names and description of each candidate shall be set forth

in the ballot paper as they have been set forth in the nomination paper; the ballot paper shall be in the form J in the first schedule.

36. On a poll being granted, the returning officer shall,

(*a.*) appoint by a commission under his hand in the form K in the first schedule, one presiding officer for each polling district in the county, who shall, before acting as such, take the oath of office in the form L in the first schedule; such presiding officer shall have been a resident of such county for at least one year next before such appointment;

(*b.*) appoint by a commission under his hand in the form M, in the first schedule, one poll clerk for each polling district in the said county, who shall, before acting as such, take the oath of office in the form N in the first schedule;

(*c.*) furnish each presiding officer with a copy of the list of voters for the polling district for which he is appointed—such copy being first certified by himself;

(*d.*) deliver to each presiding officer at least twenty-four hours before the hour appointed by law for opening the poll a ballot box to receive the ballot papers of the voters;

(*e.*) furnish each presiding officer with a sufficient number of ballot papers (all being of the same description and as nearly as possible alike, and stamped with the official seal of the sheriff, if the returning officer is sheriff, and if not, then with such seal as the Governor-in-Council prescribes), to supply the number of voters on the list of such polling district, and with the necessary materials for voters to mark their ballot papers, and with a poll book; and the returning officer shall keep an exact record of the number of ballot papers furnished to each presiding officer;

(*f.*) furnish each presiding officer with at least ten copies of the printed directions in the form O in the first schedule, for the guidance of voters in voting, which printed directions the presiding officer shall, before or at the opening of the poll, cause to be posted up in some conspicuous places outside of the polling station, and also in each compartment of the polling station.

37. The ballot box shall be made of some durable material, with one lock and key, and a slit or narrow opening in the top, and so constructed that the ballot papers may be introduced therein, but cannot be withdrawn therefrom unless the box is unlocked.

38. Whenever the returning officer fails to furnish to the presiding officer for any polling district a ballot box within the time prescribed by this Chapter, such presiding officer shall provide one.

39. (1.) When any presiding officer refuses or is unable to act, the returning officer may appoint another person to act in his place; and if no such appointment is made, the poll clerk, without taking another oath of office, shall act as presiding officer.

(2.) When the poll clerk acts as presiding officer he shall, by a commission in the form P in the first schedule, appoint a poll clerk to act in his stead, who shall take the oath in form N in the first schedule.

40. The returning officer may act as presiding officer in a district without taking the presiding officer's oath.

41. The poll shall be held in each polling district in a room of convenient access, with an outside door for the admittance of the voters; and one or two compartments shall be made within the room, so arranged that each voter may be screened from observation, and may without interference or interruption mark his ballot paper.

Proceedings on Polling Day.

42. Every presiding officer shall open the poll assigned to him at the hour of eight of the clock in the forenoon, and keep the same open until five of the clock in the afternoon, and shall, during that time, receive in the manner hereinafter prescribed, the votes of the voters duly qualified to vote at such polling station.

43. In addition to the presiding officer and the poll clerk, the candidates and their agents (not exceeding two in number for each candidate in each polling station), and, in the absence of agents, two voters to represent each candidate on the request of such voters, and no others, shall be permitted to remain in the room where the votes are given during the whole time the poll remains open; provided always that any agent bearing a written authorization from the candidate shall always be entitled to represent such candidate in preference to, and to the exclusion of, any two voters who might otherwise claim the right of representing such candidate under this section.

44. Any person producing to the returning officer or presiding officer at any time a written authority from a candidate to represent him at the election, or at any proceeding of the election, shall be deemed an agent of such candidate within the meaning of this Chapter.

45. One of the agents of each candidate, and in the absence of such agents, one of the voters representing each candidate, if there is such voter, on being admitted to the polling station, shall take the oath to keep secret the names of the candidates for whom any of the voters has marked his ballot paper in his presence, which oath shall be in the form Q in the first schedule to this Chapter.

46. At the hour fixed for opening the poll the presiding officer shall, in the presence of the poll clerks, the candidates, their agents, and such voters as are present, open the ballot box and ascertain that there are no ballot papers or other papers in the same, after which the box shall be locked, and the presiding officer shall keep the key thereof.

47. Immediately after the ballot box is locked, as in the next preceding section provided, the presiding officer shall call upon the voters to vote.

Persons Entitled to Vote.

48. Subject to the provisions hereinafter contained, all male persons whose names are registered on the lists of voters for polling districts in any county, in force under the provisions of the "Nova Scotia Franchise Act," on the day of the polling at any election for any county, shall be entitled to vote at any such election for such county, and no other persons shall be entitled to vote thereat.

Persons not Entitled to Vote.

49. The following person shall be disqualified and incompetent to vote at any election of a member for the House of Assembly:

(*a.*) The judges of the Supreme Court;

(*b.*) Returning officers, except that the returning officer at any election may, as hereinafter provided, vote in the case of an equality of votes between candidates;

(*c.*) Any person who at any time within fifteen days before the day of election, was an employee, or in the receipt of wages or emolument of any kind as such employee, in the post office, the custom house, the inland revenue department, the lighthouse service, on the Government railways, in the crown land office, or in the office of the Commissioner of Public Works and Mines, provided that nothing in this section contained shall disqualify any person who has contracted to furnish materials of any kind for the Government railways or to perform any other specific contract in respect to the same, or any person who has been employed by the day temporarily to repair the railways, or any post master, post office keeper, way office keeper, or mail courier.

Where Voters shall Vote.

50. (1.) Every voter shall, subject to the provisions contained in the next following section of this Chapter, be entitled to vote at the polling station of any polling district upon the list of voters for which his name is registered as a voter and at no other, except that, if such voter did not reside in the county in which he seeks to vote at the date of the issue of the writ of election for such county, he shall not be entitled to vote if he was registered at such date as a voter in any polling district in the county in which he then resided, nor unless he takes, if required by the presiding officer, the poll clerk, one of the candidates, or one of their agents, or any voter present, the oath in form R in the first schedule to this Chapter.

(2.) The presiding officer shall secure the admittance of every voter into the polling station, and shall see that he is not impeded or molested at or about the polling station.

51. The returning officer, on the request of any voter entitled to vote at one of the polling stations, who is appointed presiding officer or poll clerk, or who is named the agent of any of the candidates for a polling station other than the one at which he is entitled to vote, shall give to such voter a certificate that such presiding officer, poll clerk or agent is entitled to vote at such election at the polling station at which such voter is stationed during the polling day, and on the production of such certificate, such presiding officer, poll clerk or agent, shall be entitled to vote at the polling station at which he is stationed during the polling day, instead of at the polling station of the polling district at which he would otherwise have been entitled to vote; but no such certificate shall entitle any voter to vote at such polling station unless he is actually engaged as such presiding officer, poll clerk or agent during the day of polling.

Poll.

52. (1.) Not more than one voter for each compartment shall, at any one time, enter the room where the poll is held.

(2.) Every voter shall, upon so entering, declare his name, residence and occupation or addition, which shall be entered by the poll clerk in the poll book provided for that purpose, which shall be kept in the form S in the first schedule to this Chapter; and if the name of such voter is found on the list of voters furnished to the presiding officer as hereinbefore provided, he shall receive from the presiding officer a ballot paper stamped with the official seal as hereinbefore provided.

(3.) Such voter shall, before receiving the ballot paper as aforesaid, if required by the presiding officer, the poll clerk, one of the candidates or one of their agents, or by any voter present, take the oath contained in such of the paragraphs in the form T in the first schedule to this Chapter as any of the persons aforesaid indicates, which oath the presiding officer is hereby authorized to administer.

(4.) The presiding officer shall, upon request of a voter, instruct such voter how and where to affix his mark, and how to fold his ballot paper, but without inquiring or seeing for whom the voter intends to vote, except in the case hereinafter provided.

53. Upon receiving from the presiding officer the ballot paper, the voter shall forthwith proceed into one of the compartments of the polling station, shall then and therein forthwith mark his ballot paper in the manner mentioned in the directions contained in form O in the schedule to this Chapter, by making a cross with a pencil on any part of the ballot paper within the division (or divisions) containing the name (or names) of the candidate or candidates for whom he intends to vote, and shall then fold the ballot paper so as to conceal the names of the candidates and the marks upon the face of such paper; and leaving the compartment shall without delay and without displaying the ballot paper to any one so as to make known the candidate or candidates for or against whom he has voted, hand it to the presiding officer, who shall, without unfolding it, ascertain that there is only one ballot paper,

and then immediately, and in the presence of the voter, deposit such ballot paper in the ballot box.

54. Every voter shall vote without undue delay, and shall quit the polling station as soon as his ballot paper has been deposited in the ballot box.

55. (1.) Every voter who takes a ballot paper out of the polling station shall thereby forfeit his right to vote at the election, and shall be liable to imprisonment for any term not exceeding six months, with or without hard labour.

(2.) The presiding officer shall cause an entry to be made in the poll book to the effect that such voter received a ballot paper, but took the same out of the polling station.

56. If any voter who has received a ballot paper declines to vote he shall return such ballot paper, and the presiding officer shall immediately write the word "declined" upon such ballot paper, and shall return the same to the returning officer with the other ballot papers.

57. (1.) The presiding officer, on application of any voter who is unable to read or is incapacitated by blindness or other physical cause from voting in the manner prescribed by this Chapter, shall assist such voter by marking his ballot paper in the manner directed by such voter, in the presence of the sworn agents of the candidates, or of the sworn voters representing them in the polling station, and of no other person, and by placing such ballot paper in the ballot box; and the presiding officer shall require the voter making such application, before voting, to take an oath of his incapacity to vote without such assistance, in the form U in the first schedule to this Chapter.

(2.) The presiding officer shall enter in the poll book, opposite the names of the voters whose ballot papers have been so marked, in addition to what is required by other provisions of this Chapter, the reason why each such ballot paper was marked by him.

58. (1.) The poll clerk shall enter in the poll book to be kept by him as aforesaid, opposite the name of each voter voting, the word "voted" as soon as his ballot paper has been deposited in the ballot box.

(2.) He shall enter in the same book the word "sworn" or "affirmed" opposite the name of each voter to whom the oath contained in the form T in the first schedule to this Chapter, or in any paragraph of said form, has been administered, and the words "refused to be sworn" or "refused to affirm" opposite the name of each voter who has refused to take the oath contained in the said form or in any paragraph thereof.

(3.) Where the vote of any voter is objected to by any candidate or agent, the poll clerk shall enter in the poll book opposite the name of the voter whose vote is objected to, the words "objected to," recording at the same time by or on behalf of which candidate the objection is made.

59. No voter who has refused to take the oath contained in the said form T, or in any paragraph thereof, when requested to do so, shall receive a ballot paper, or be admitted to vote.

60. No person shall vote in more than one polling district in the province on the same day, and no person shall vote more than once in any polling district, but each voter may vote for as many candidates as are to be elected to represent the county for which the election is held.

61. (1.) If a person representing himself to be a particular voter named on the list of voters applies for a ballot paper after another person has voted as such voter, the applicant, upon taking the oath in the first paragraph in the said form T, and also, if required, the oath contained in any one or more of the other paragraphs in the said form, shall be entitled to receive a ballot paper, but such ballot paper, when marked by the voter, shall be given to the presiding officer, and placed by him in an envelope, securely sealed, upon which he shall indorse the word "tendered," and the presiding officer shall deposit the envelope containing such ballot paper in the ballot box, and such ballot paper shall not be counted by the presiding officer.

(2.) The name of such person shall be entered in the poll book, and a note shall be made opposite his name of his having voted on a second ballot paper issued on the same name, and of the oath taken by such voter, as well as of any objections made on behalf of any and which of the candidates.

62. A voter who has inadvertently dealt with the ballot paper given him in such manner that it cannot be conveniently used as a ballot paper, may, on delivering the same to the presiding officer, obtain another ballot paper in the place of that so delivered up, and the presiding officer shall write the word "cancelled" upon the ballot paper so inadvertently dealt with, and preserve it and return it to the returning officer, and such ballot paper is in this Chapter called a "spoiled ballot paper."

Proceedings at Close of Poll.

63. (1.) Immediately after the close of the poll, the presiding officer, with the assistance of the poll clerk, and in the presence of the candidates and their agents, or such of them as are then present, and if the candidates and their agents, or any of them, are absent, then in the presence of such, if any, of them as are present, and of at least three voters, shall open the ballot box, and proceed to count the number of votes given for each candidate.

(2.) In so doing he shall reject every ballot paper,—

(*a.*) which is not stamped with the official seal,

(*b.*) by which votes have been given for more candidates than are to be elected,

(*c.*) upon which there is any writing or mark by which the voter can be identified; and

(*d.*) which is unmarked, or so marked as to render it uncertain for which candidate or candidates the voter votes.

(3.) The presiding officer shall indorse "rejected" on every ballot paper which he rejects.

64. At the conclusion of the counting, the presiding officer shall,—

(*a.*) declare the state of the poll in his polling district,

(*b.*) put into separate envelopes or parcels the ballot papers indicating the votes given for each candidate respectively, and also put into separate envelopes or parcels the ballot papers rejected, those spoiled and those unused respectively, and indorse all such envelopes or parcels so as to indicate their contents; and

(*c.*) return all such envelopes or parcels with their contents to the ballot box.

65. (1.) After the ballot papers are counted, the presiding officer shall make up a written statement of the votes given for each candidate, of the rejected ballot papers, of the spoiled ballot papers, and returned ballot papers, which shall be made under the following heads:

(*a.*) Number of votes for each candidate;

(*b.*) Number of ballot papers rejected for want of official seal;

(*c.*) Number of ballot papers rejected as voting for more candidates than are to be elected;

(*d.*) Number of ballot papers rejected for having a writing or mark by which the voter may be identified;

(*e.*) Number of ballot papers rejected as unmarked, or for uncertainty;

(*f.*) Number of tendered ballot papers deposited;

(*g.*) Number of spoiled ballot papers returned by him;

(*h.*) Number of unused ballot papers returned by him.

(2.) The presiding officer shall make and keep a copy of such statement and enclose in the ballot box the poll book with such statement, together with the list of voters used by him, and such other lists and documents as were used at such election.

(3.) The ballot box, with the envelopes or parcels and other contents, shall then be locked and sealed, and shall be delivered to the returning officer or to the election clerk, who shall receive or collect the same, and if both of these are unable so to do, then to one or more persons specially appointed for that purpose by the returning officer, who shall, on delivering the ballot boxes to the returning officer, take the oath in the form V in the first schedule to this Chapter.

(4.) The presiding officer and the poll clerk shall respectively take the oath in the forms W and X in the first schedule to this Chapter, which shall be annexed to the statement in this section mentioned.

66. The several presiding officers, on being requested so to do, shall deliver to each of the candidates, their agents, or in the absence of such candidates or agents, to the electors present representing the candidates, a certificate of the number of votes given for each candidate, and of the number of rejected ballot papers.

Declaration of Return by Returning Officer.

67. (1.) The returning officer at the place, day and hour appointed by his proclamation, and after having received all the ballot boxes, shall proceed to open them, in the presence of the election clerk, the candidates or their representatives, if present, or of at least two electors, if the candidates or their representatives are not present, and to add together the number of votes given for each candidate from the statements contained in the several ballot boxes returned by the presiding officers, of the ballot papers counted by them.

(2.) The returning officer shall remove such statements, but shall not remove the ballot papers from any such box, and after ascertaining from any such statement the desired particulars he shall forthwith return the same to the box from which it was taken and seal the same with his seal. He shall also require the election clerk to seal the same, and shall permit such of the candidates and their representatives as so desire to affix their seals to such box.

(3.) The returning officer shall forthwith declare the number of votes for the several candidates, and one hour thereafter the candidate who, on the summing up of the votes is found to have a majority of votes, shall be declared elected, unless a recount is demanded as in this Chapter provided.

68. If the ballot boxes are not all returned on the day fixed for adding up the number of votes given to the several candidates, the returning officer shall, without opening any of the ballot boxes, adjourn the proceedings to the following day, and so from day to day, until all the ballot boxes are returned, but in no case shall he adjourn the proceedings to a day so late as to prevent the return of the writ of election on or before the return day therein named.

69. If the ballot boxes, or any of them, have been destroyed, lost, or for any other reason are not forthcoming within the period of such adjournments, the returning officer shall ascertain the cause of the disappearance of such ballot boxes, and shall call on each of the presiding officers whose ballot boxes are missing, or on any other persons having the same, for the lists, statements and certificates, or copies of the lists, statements and certificates, of the number of votes given to each candidate required by the Chapter, the whole verified on oath,—which oath the presiding officer is hereby authorized to administer; and if such lists or statements, or any of them, or copies thereof, cannot be obtained, he shall ascertain, by such evidence as he is able to obtain, the total number of votes given to each candidate at the several polling stations, and he shall forthwith declare the number of votes given for the several candidates, and one hour thereafter shall return the candidate having the majority of votes, unless a recount is demanded,—and shall mention specially in his report to be sent with the return the circumstances accompanying the disappearance of the ballot boxes, and the mode by which he ascertained the number of votes given to each candidate.

Re-Count by Returning Officer.

70. If within one hour after the declaration by the returning officer of the number of votes given for the several candidates, any candidate, by himself or his agent, so requests, the returning officer shall appoint a time, within four days after such request, to re-count the votes at the place at which the nomination of candidates for the election was held.

71. The returning officer may summon any presiding officer, poll clerk or messenger who has collected the ballot boxes, to attend at such place at the time appointed, and may command any of them to bring with him any papers in his custody or possession relating to the election.

72. The returning officer and his election clerk, and another clerk to be appointed by the returning officer and sworn by him to the faithful discharge of his duty, and each candidate and his agent appointed to attend such re-count of votes, or in case any candidate cannot attend, then one agent of such candidate, and if the candidates and their agents are absent, then at least three voters, shall be present at such re-count of the votes.

73. At the time appointed and at the said place, and in the presence of the clerks and of the other persons who attend, the returning officer shall proceed to re-count all the votes or ballot papers returned by the several presiding officers, as the case may be, and shall in so doing observe strictly the following provisions:—

(*a.*) Open the ballot boxes in order, according to the numbers or letters by which the polling districts to which the several ballot boxes belong are respectively designated;

(*b.*) Open the one designated by the lowest number or first letter, and determine every objection arising in regard to the ballot papers therein, and count the votes indicated by the ballot papers therein, and dispose of every matter connected with such box and its contents before opening the next one, according to number or letter, and observe the same rule with regard to the second and subsequent boxes;

(*c.*) After the votes so indicated in any ballot box, and the other facts required, are ascertained, the ballot papers and other documents which were in the said box when opened shall be returned to the said box, and the same shall be locked and sealed with the seal of the returning officer and with the seals of such other of the said persons as desire to affix their seals;

(*d.*) The said clerks shall each keep tally of the votes given to the several candidates as the same are announced by the returning officer as indicated by the ballot papers, and one agent for each candidate may keep a similar tally;

(*e.*) If the several tallies do not agree, the correctness of the same shall be tested by reference to the ballot papers;

(*f.*) The returning officer shall, as far as practicable, proceed continuously, except on Sunday, with such re-count, allowing only time for refreshments, and excluding (except so far as he and the persons aforesaid agree) the hours between four in the afternoon and nine of the succeeding forenoon; and during such excluded time the returning officer shall take precautions for the security of the ballot boxes and documents relating to the election, and if required by any of the persons aforesaid, shall place the same close under his own seal and the seals of such other of the said persons as desire to affix their seals.

74. The returning officer, as soon as he ascertains the result of the poll, shall declare to be elected the candidate having the highest number of votes; and in case of an equality of votes, the returning officer shall give the casting vote.

75. The returning officer shall, unless a re-count is demanded, forthwith after the expiration of one hour after the declaration of the number of votes for the several candidates, and, if a re-count is demanded, forthwith upon the conclusion thereof, make his return to the writ of election in the form Y in the first schedule to this Chapter.

Election Return and Publication Thereof.

76. (1.) The returning officer shall immediately after the declaration made by him, transmit his return to the writ of election to the Provincial Secretary, that the candidate, or candidates, if more candidates than one are to be elected, having the largest number of votes have been duly elected. Such return shall be in such one of the forms of indorsement on the writ in form A in the first schedule as is applicable thereto.

(2.) The returning officer shall accompany his return to the Provincial Secretary with a report of his proceedings, in which report he shall make any observations he thinks proper as to the state of the ballot boxes or ballot papers received by him.

77. The Provincial Secretary shall, on receiving the return of any member elected to the House of Assembly, give notice in the next ordinary issue of the "Royal Gazette" of the name of the candidate so elected.

78. The property in the ballot boxes, ballot papers, envelopes, and marking instruments procured for or used at any election, shall be in Her Majesty the Queen.

79. After the close of the election the returning officer shall cause to be deposited in some safe place in the county in which the nomination was held the ballot boxes used at the election for use at the next ensuing election.

Destruction of Ballot Papers.

80. The returning officer at any election shall forthwith on the receipt of a certificate from the prothonotary of the Supreme Court for the county in which such election was held and stating,—

(*a.*) that no petition relating to such election has been presented, or

(*b.*) that every petition relating to such election has been determined and finally disposed of,

burn all ballot papers printed for or used at such election.

Secrecy of Voting.

81. (1.) Every officer, clerk and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting at the polling station.

(2.) No officer, clerk or agent, or other person, shall interfere with or attempt to interfere with a voter when marking his ballot paper, or otherwise attempt to obtain at the polling station information as to the candidate for whom any voter at such polling station is about to vote or has voted.

(3.) No officer, clerk, agent, or other person shall communicate, at any time, to any person any information obtained at a polling station as to the candidate for whom any voter at such polling station is about to vote or has voted.

(4.) Every officer, clerk and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting; and no such officer, clerk or agent shall attempt to obtain at such counting any information, or communicate any information obtained at such counting, as to the candidate for whom any vote is given in any particular ballot paper.

(5.) No voter shall, except in the case in this Chapter previously provided for, show his ballot paper, when marked, to any person so as to allow the name of the candidate for whom he votes to be known; and no person shall, directly or indirectly, induce, or endeavour to induce, any voter to show his ballot paper after he has marked the same so as to make known to any person the name of the candidate for whom he has marked the same.

(6.) Every person who violates any of the provisions of this section shall be liable to a penalty not exceeding twenty dollars, and in default of payment to imprisonment for any term not exceeding three months.

82. No person who has voted at an election shall in any legal proceeding questioning the election or return be required to state for whom he voted.

Keeping the Peace and Good Order at Elections.

83. Every returning officer and every presiding officer from the time he takes the oath of office until the day after the closing of the election, shall be a conservator of the peace, invested with all the powers appertaining to a justice of the peace.

84. Such returning officer or presiding officer may require the assistance of justices of the peace and good order at such election; and may also, on a requisition made in writing by any candidate, or by his agent, or by any two voters, swear in such special constables as he deems necessary.

85. Such returning officer or presiding officer may arrest or cause to be arrested by verbal order, and place in the custody of any constable or other person, any person disturbing the peace and good order at the election, and may cause such person to be imprisoned in any jail, lockup or convenient place in the polling district under an order signed by him until any hour not later than the close of the poll.

86. No candidate at any election shall, nor shall any other person acting on his behalf, either provide or furnish drink or other refreshment at the expense of the candidate to any voter during such election, from nomination day to polling day, both inclusive, or pay for, procure, or engage to pay for, any such drink or other refreshment.

87. No candidate or any other person shall furnish or supply any ensign, standard or set of colours, or any other flag, to or for any person or persons whomsoever, with intent that the same should be carried or used in any county on the day of election, or within eight days before such day, or during the continuance of such election or the polling, by such person or any other, as a party flag, to distinguish the bearer thereof and those who follow the same as the supporters of such candidate or of the political or other opinions entertained or supposed to be entertained by such candidate, and no person shall for any reason carry or use any such ensign, standard, set of colours or other flag as a party flag within such county on the day of any such election or polling, or within eight days before such day, or during the continuance of such election.

88. No candidate or any other person shall furnish or supply any ribbon, label or like favour, to or for any person whomsoever, with intent that the same should be worn or used within such county on the day of election or polling or within eight days before such day or during the continuance of such election, by such person or any other as a party badge to distinguish the wearer as the supporter of such candidate, or of the political or other opinions entertained or supposed to be entertained by such candidate; and no person shall use or wear any ribbon, label or other favour, as such badge, either on his person or affixed to any horse or vehicle, within such county on the day of any such election or polling, or within eight days before such day, or during the continuance of such election.

89. Every person who violates any of the provisions of the next three preceding sections shall be liable to a penalty not exceeding one hundred dollars, or to imprisonment for a term not exceeding three months, or to both.

90. No spirituous or fermented liquors or strong drinks shall be sold or given at any hotel, tavern or shop or other place within the limits of any polling district during the whole of the polling day at any election, and every person who violates the provisions of this section shall be liable for every such offence to a penalty of one hundred dollars, and in default of payment to imprisonment for a term not exceeding six months.

* * * * * * * * * *

Election Expenses.

121. (1.) No payment (except in respect of the personal expenses of a candidate) and no advance, loan or deposit for the purposes of the election shall be made by or on behalf of any candidate at any election, before or during or after such election, otherwise than through an agent or agents, whose name or names, address or addresses, have been declared in writing to the returning officer on or before the nomination day, or through an agent or agents to be appointed in his or their place as in this Chapter provided; and any person making any such payment, advance, loan or deposit otherwise than through such agent or agents shall be guilty of an offence against this Chapter.

(2.) The returning officer shall publish on or before the nomination day the name and address or the names and addresses of the agent or agents appointed in pursuance of this section.

(3.) In the event of the death or legal incapacity of any agent appointed in pursuance of

this section, the candidate shall forthwith appoint another agent in his place, giving notice to the returning officer of the name and address of the person so appointed, which shall be forthwith published, as in this Chapter provided, by the returning officer.

122. (1.) All persons who have any bills, charges or claims upon any candidate for or in respect to any election, shall send in such bills, charges or claims within one month of the declaration of the election to such agent or agents as aforesaid; otherwise such persons shall be barred of their right to recover such claims, and every or any part thereof.

(2.) In the event of the death within the said month of any person claiming the amount of any such bill, charge or claim, the legal representative of such person shall send in such bill, charge or claim within one month after obtaining probate or letters of administration, or after becoming otherwise able to act as such legal representative, otherwise the right to recover such claim shall be barred as aforesaid.

(3.) Such bills, charges and claims shall and may be sent in and delivered to the candidate, if and so long as during the said month there is, owing to death or legal incapacity, no such agent.

(4.) The agent shall not pay nor allow any such bill, charge or claim without the authority of the candidate, as well as the approval of the agent.

123. (1.) A detailed statement of all election expenses incurred by or on behalf of any candidate, including payments in respect of his personal expenses, shall within two months after the election (or in cases where by reason of the death of the creditor no bill has been sent in within such period of two months, then within one month after such bill has been sent in) be made out and signed by the agent, or if there is more than one, by every agent who has paid the same (including the candidate in cases of payments made by him) and delivered with the bills and vouchers relative thereto to the returning officer.

(2.) The returning officer shall at the expense of the candidate within fourteen days insert or cause to be inserted an abstract of such statement, with the signature of the agent or agents thereto in some newspaper published or circulating in the county in which the election was held.

(3.) Any agent or candidate who makes default in delivering to the returning officer the statement required by this section shall be liable to a penalty not exceeding twenty dollars for every day during which he so makes default; and any agent or candidate who wilfully furnishes to the returning officer any untrue statement shall be guilty of an offence against this Chapter.

(4.) The returning officer shall preserve all such bills and vouchers, and during the six months next after they have been delivered to him, shall permit any voter to inspect the same on payment of a fee of twenty cents.

Fees and Expenses of Returning Officers and Others.

124. The fees and expenses mentioned in the second schedule to this Chapter and no others, shall be allowed to the several officers therein mentioned, respectively, for their services and disbursements at any election.

125. The returning officer shall furnish to the Provincial Secretary an account of his fees and expenses according to the second schedule to this Chapter, verified by affidavit.

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Statement of Warrants—Election Expenses.

To whom paid.	Service.	Amount	Total.
		$	
D. Archibald...	Halifax Co.	1000 00	
Blackadar Bros.	Printing	346 50	
D. Archibald...	Halifax Co.	787 95	
J. Creighton ...	Lunenburg Co.	684 72	
G. W. McLean	Shelburne Co.	389 30	
L. W. Drew ...	Queens Co.	336 25	
J. D. Power ...	Richmond Co.	383 00	
G. H. Guest ...	Yarmouth Co.	96 50	
Jas. O'Brien ...	Hants Co.	553 90	
E. Gates ...	Annapolis Co.	551 80	
S. Belcher ...	Kings Co.	490 05	
M. E. McKay	Victoria Co.	352 26	
H. McDonald	Inverness Co.	503 09	
H. A. P. Smith	Digby Co.	524 22	
A. J. O. McGuire	Guysboro' Co.	644 03	
M. A. Logan ...	Cumberland Co.	824 45	
C. A. McLennan	Colchester Co.	656 20	
R. G. McLennan	Inverness Co.	2 95	
D. D. Chisholm	Antigonish Co.	109 01	
J. S. Harris ...	Pictou Co.	939 02	
Do.	Do.	47 71	
Blackadar Bros.	Printing	33 50	
J. D. Power ...	Richmond Co.	14 17	
G. B. Ingraham	Cape Breton Co.	700 97	
			10971 61

SASKATCHEWAN.

SIR, Government House, Regina, May 7, 1906.

I HAVE the honour to acknowledge the receipt of a letter from the Acting Under-Secretary of State, dated April 21st, 1906, transmitting a copy of a despatch from the Colonial Office, dated 31st ultimo, respecting machinery and cost of elections in the Dominion, and I forward herewith, for transmission to Lord Elgin, two copies of the Territorial Elections Ordinance, under which, at present, elections in this Province are conducted. I would direct your attention to Tariffs A, B, and C, in Schedule 3 of the Ordinance, as printed on pages 45 and 46, from which it will be readily gathered that the actual expenses of holding the elections are all paid out of the funds of the Province. There are no voters' lists prepared, and, therefore, none printed, the procedure for establishing the right to vote being laid down by Sections 49, 50, and 59 to 71, both inclusive. With the exception of the payment of witness fees (which are provided, under Sections 61, 62, and 70, by agents of the candidate either objecting to or seeking to establish the right of any person to vote), all the expenses of the election, prior to the declaration of the Returning Officer, are borne by the Government.

I have, &c.,
A. E. FORGET,
Lieutenant-Governor of Saskatchewan.

The Honourable
Secretary of State,
Ottawa.

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1. This Ordinance may be cited as "The Territories Elections Ordinance," No. 11 of 1897, s. 1.

* * * * * * *

Nomination.

Time and manner of nomination.

15. At any time after the date of the writ of election and before twelve o'clock noon (standard time) of the day fixed for the nomination, any four or more electors may nominate a candidate by signing before any person authorised to administer oaths within the Territories or before the returning officer and causing to be filed with the returning officer a nomination paper in Form F in schedule 2 to this Ordinance; and any vote given at the election for any person other than a candidate so nominated shall be null and void. No. 11 1897, s. 15.

Vote for person not nominated.

Nomination papers.

16. A nomination paper shall not be valid or be acted upon by the returning officer unless—

Consent of candidate.

(*a.*) It is accompanied by the consent in writing of the person therein nominated (except when such person is absent from the electoral district when such absence shall be stated in the nomination paper); and

Deposit of $100.

(*b.*) A sum of $100 is deposited in the hands of the returning officer at the time the nomination paper is filed with him.

Receipt for nomination paper.

(2.) The returning officer shall (the foregoing requirements of this section being complied with) give his receipt for the nomination paper; and the said receipt of the returning officer shall in every case be sufficient evidence of the production of the nomination paper, of the consent of the candidate and of the payment herein mentioned.

How deposit may be made.

(3.) The returning officer shall accept the sum of money hereinbefore mentioned if it is tendered—

(*a*) In gold coin;

(*b.*) In Dominion of Canada notes;

(*c*) In the notes of any bank chartered by the Parliament of Canada which at the time is redeeming its notes on demand; or

(*d*) Partly in one and partly in another or others of the description of moneys herein mentioned;

but he will not be obliged to accept such tender if any part of it consists of other descriptions of money than that herein specified.

Condition upon which deposit may be returned

(4.) The sum so deposited by any candidate shall be returned to him in the event of his being elected or of his obtaining a number of votes at least equal to one-half the number of votes polled in favour of the candidate elected as decided in the final count.

Forfeiture of deposit.

(5.) If such candidate has not obtained the number of votes in the next preceding subsection mentioned, the said deposit shall be transmitted by the returning officer to the clerk of the Executive Council and by him deposited to the credit of the general revenue fund of the Territories. No. 11 of 1897, s. 16.

Nomination Proceedings.

Procedure at hustings.

17. Every returning officer shall on the date of nomination and at the place fixed as aforesaid proceed to the hustings (which shall be at such a place that all the electors may have free access thereto), and at the hour of eleven of the clock (standard time) in the forenoon shall read or cause to be read publicly the writ of election; and shall forthwith read in an audible voice the nominations which he has received, and from time to time until twelve o'clock of the day (standard time) shall so read further nominations as he receives them. No. 11 of 1897, s. 17.

Closing nominations.

18. At the hour of twelve o'clock (standard time) the returning officer shall declare the nominations closed, and shall announce in an audible voice the names of the several candidates. No. 11 of 1897, s. 18.

Procedure when only one candidate nominated.

19. If at the close of the hour for receiving nominations only one candidate for the vacancy to be filled remains in nomination, the returning officer shall then and there—

(1) Declare the said candidate duly elected;

(2) Give such candidate or any agent of such candidate, if the candidate is not present, a certificate that such candidate has been duly elected;

(3) Forward to the clerk of the Executive Council the writ of election together with a certificate in writing declaring such candidate duly elected, and all ballot boxes, poll books, and other books, forms, seals, materials and things sent to him to be used in the election and which have not been used. No. 11 of 1897, s. 19.

Procedure when more than one candidate nominated.

20. If at the close of the hour for receiving nominations more than one candidate for the vacancy to be filled remains in nomination, the returning officer shall announce the day upon which a poll will be held, and the day, hour, and place at which the ballots will be counted, which must not be more than eight days after the polling; and shall deliver to every candidate or to any person authorised in writing by the candidate or any of his nominators to act in his behalf a list of the candidates nominated with the colour assigned to each as specified in section 4 of schedule 1 to this Ordinance. No. 11 of 1897, s. 20.

Candidate may withdraw his nomination

21. Any candidate nominated may withdraw at any time after his nomination and before the closing of the poll by filing with the returning officer a declaration in writing to that effect signed by himself; and any votes cast for a candidate who shall have so withdrawn shall be null and void; and in case after such withdrawal there should remain only one candidate for the vacancy to be filled, then it shall be the duty of the returning officer to forthwith return as duly elected the candidate so remaining, and to proceed as directed in section 19 hereof:

but will forfeit his deposit.

Provided always that if a candidate withdraw at any time after his nomination he shall forfeit the money deposited by him, and the returning officer shall transmit the same to the clerk of the Executive Council as provided in section 16 hereof. No. 11 of 1897, s. 21.

Providing for the Polling.

Date and hours of polling.

22. Whenever a poll has been granted it shall be held on the seventh day after the day of nomination, and shall be opened at nine of the clock in the forenoon (standard time) and kept open until five of the clock in the afternoon (standard time) of the same day; and the votes at the several polling stations shall be given between the said hours of that day:

Proviso, in case of Electoral District of Prince Albert East.

Provided always that in that portion of the electoral district of Prince Albert East, lying east of range 20 west of the second meridian, the poll shall be held on the fourteenth day after the day of nomination between the said hours. No. 11 of 1897, s. 22.

Election notices.

23. Immediately after having granted a poll the returning officer shall cause to be posted up with all reasonable speed at all places where the proclamation of the election was posted up, and at least two days before the day of voting an election notice setting forth the following information:—

1. The names of the several candidates with the name of the colour assigned to each, which colours shall be assigned to the candidates in order of nomination, the order being that specified in section 4 of schedule 1 hereto;

2. The number, name, boundaries, and polling place of each polling division as finally amended;

3. The name of the deputy returning officer for each polling division;

4. The day and hours of the day on which votes will be received;

5. The day, hour, and place at which the votes will be counted and the return declared. No. 11 of 1897, s. 23.

Information to electors.

24. The returning officer shall also cause to be posted up near to the aforesaid election notice copies of Form G in schedule 2 to this Ordinance, containing information to electors. No. 11 of 1897, s. 24.

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Polling Place.

Outer and inner rooms.

30. The polling place shall have an outer room suitable for the accommodation of the persons and things required for taking the vote under this Ordinance, and (opening therefrom) an inner room in which the voter may mark his ballot screened from all observation:

Division of room by screen.

Provided that where it is difficult or impossible to secure two rooms as required a single room divided by a screen or curtain, so that the interior of the two parts shall be completely hidden from each other shall be sufficient. No. 11 of 1897, s. 30.

Poll book and ballot box to be kept in outer room.

31. In the outer room shall be kept the poll book and ballot box.

Inspection of poll book.

(2.) The poll book shall be open to inspection on demand of any candidate, agent, or scrutineer for a reasonable time for the purpose of checking an entry.

Position of ballot box.

(3.) The ballot box shall be kept in a conspicuous position during the voting, so that the scrutineers may see the ballots as they are dropped in; and it shall not during such voting be touched by any person except the deputy returning officer or poll clerk acting for him, and only touched by him in such manner that the candidates, their scrutineers, or agents can observe it if present. No. 11 of 1897, s. 31.

Persons who may have access to inner room.

32. Except as hereinafter provided no person shall have access to the inner room but the voter who is engaged in marking his ballot. No. 11 of 1897, s. 32.

Contents of inner room.

33. In the said inner room of the polling place there shall be a table suitable for use in marking ballots; and there shall be posted on the walls a copy of the information to electors provided in Form G in schedule 2 to this Ordinance and a copy of the election notice provided in section 23 of this Ordinance. No. 11 of 1897, s. 33.

Pencils, their colour and number, and the manner in which they are to be dealt with during the the polling.

34. A pencil of the colour assigned to each candidate according to the election notice provided for in section 23 of this Ordinance shall be furnished; and the full name of the candidate shall be marked plainly on the pencil of the colour which has been assigned to him according to the said election notice; and each of such pencils shall be handed by the deputy returning officer to the voter for the purpose of enabling him to mark his ballot paper as provided in section 48 of this Ordinance; and the voter shall with his ballot paper and before the said ballot paper is placed in the ballot box return to the deputy returning officer each of said pencils. No. 11 of 1897, s. 34.

Inspection of inner room.

35. On demand any candidate, agent, or scrutineer shall be allowed to inspect the inner room of the polling place in the presence of the deputy returning officer or poll clerk; but such inspction may only be made when the said inner room is not occupied by a voter. No. 11 of 1897, s. 35.

Note of inspection to be made in poll book.

36. The deputy returning officer shall forthwith enter in the poll book—

(*a*) The time of inspection;

(*b*) The name of the person demanding it; and

(*c*) Any remarks regarding it that the person inspecting may require the deputy returning officer to record. No. 11 of 1897, s. 36.

Agents and Scrutineers.

Agents of candidates at polling places.

37. Every candidate shall be entitled to be represented at each polling place by an agent who shall produce to the deputy returning officer his appointment as agent signed by the candidate or (in case of his absence from the Territories) by two of the electors nominating such candidate, which shall be filed by the returning officer.

Appointment of scrutineers.

(2.) The agent so appointed shall have the right to appoint over his signature one or more but not exceeding five scrutineers on behalf of his principal. No. 11 of 1897, s. 37.

Persons who may remain in outer room of polling place.

38. In addition to the deputy returning officer and his poll clerk, each candidate, his agent, and one of his scrutineers, or, in the absence of the agent, two scrutineers, an interpreter (if one is required) during the time for which his services are required and no longer, a peace officer if his services are required and not otherwise, and the voter actually engaged in voting, and no others, shall be permitted to remain in the outer room of the polling place. No. 11 of 1897, s. 38.

Qualification of Voters.

Qualifications of voters.

39. The persons qualified to vote at an election for the Legislative Assembly shall be the male British subjects by birth or naturalisation (other than unenfranchised Indians) who have attained the full age of twenty-one years, who have resided in the North-West Territories for at least the twelve months, and in the electoral district for at least the three months respectively immediately preceding the time of voting.

Electors to vote where resident.

(2.) Except as hereinafter provided, an elector may only vote at the polling place of the polling division in which he is a resident at the time of voting. No. 11 of 1897, s. 39.

Voting.

Procedure when elector presents himself to vote.

40. When a person claiming to be entitled to vote presents himself for the purpose of voting between the hours of nine o'clock in the forenoon and five in the afternoon of the

polling day, the deputy returning officer shall without unnecessary delay cause him to be admitted to the outer room of the polling place and shall further proceed as follows:—

(1.) He shall ask from the person desirous of voting—

(*a*) His full name;

(*b*) His occupation;

(*c*) His place of residence; and shall

(2.) Cause the answers (which must be made in a voice audible to the scrutineers in the polling place, unless the person be dumb) to be entered in their proper places in the poll book which shall be kept in Form J in schedule 2 to this Ordinance.

(3.) The name of each voter or person tendering a vote shall be numbered consecutively. No. 11 of 1897, s. 40; No. 4 of 1898, s. 6.

Voter may be required to subscribe to Statement No. 1.

41. A scrutineer or person acting as such may order the deputy returning officer to require any person tendering a vote to subscribe to statement No. 1 contained in Form K of schedule 2 to this Ordinance after it has been read to him in an audible voice. No. 11 of 1897, s. 41.

Voter may be required to subscribe to Statement No. 2.

42. A scrutineer or person acting as such may order the deputy returning officer to require any person tendering a vote to subscribe to statement No. 2 contained in Form K of schedule 2 to this Ordinance after it has been read to him in an audible voice. No. 11 of 1897, s. 42.

Record of statements made in poll book.

43. If a person tendering a vote is required to sign a statement and does so, the poll clerk shall enter in the poll book after his name and residence the number of the statement made and the name of the person at whose request it was required to be made. No. 11 of 1897, s. 43.

Statements to be filed.

44. All statements made under sections 41, 42, 50, and 52, shall be filed by the deputy returning officer. No. 11 of 1897, s. 44.

Refusal to subscribe statement.

45. If a person who desires to vote refuses or fails to sign a statement when required to do so, the poll clerk shall write after the entry of his name and place of residence in the poll book the words "Refused statement No. " (giving the number of the statement refused by him) and the name of the person at whose request he was required to sign such statement; and the person so refusing or failing to sign such statement shall at once leave the polling place and not enter it again and shall not be allowed to vote at that polling place. No. 11 of 1897, s. 45.

Statement of marksman.

46. If the person required to sign a statement is unable to sign his name, he shall make his mark which shall be certified by the signature of the deputy returning officer. No. 11 of 1897, s. 46.

Interpreter may be employed.

47. If the person desiring to vote is unable to understand the English language the deputy returning officer shall enter a remark to that effect opposite his name in the poll book and may allow him to retire from the polling place until a competent interpreter can be procured who shall (after taking the oath provided in Form L of schedule 2 to this Ordinance before the deputy returning officer) interpret the proceedings to each voter in whose case he is employed.

Oath.

Entry in poll book.

(2.) When an interpreter is employed his name shall be entered in the poll book with the particulars of the case in which he acted and any objections that may be made by any of the scrutineers or persons acting as such. No. 11 of 1897, s. 47.

Initalling of ballot paper by deputy returning officer.

48. If a person desirous of voting is not required to sign a statement or after he has done so, the deputy returning officer or the poll clerk (if he is acting as deputy returning officer) shall—

(*a*) Write his own initials and make an impression with the stamp provided for that purpose on the back of one of the ballot papers provided according to this Ordinance;

Voter to receive ballot paper and pencils

(*b*.) Hand such ballot paper to the voter together with all the pencils for marking the same provided for in section 34 of this Ordinance;

(*c*) Inform the voter in an audible voice of the names of the candidates and the colour which represents each candidate; and

Directions to voter.

(*d*) Direct the voter to go into the inner room and mark the front of the ballot paper (or the face other than that on which the initials of the deputy returning officer and the mark of the stamp appear) in the form of an X with the pencil, the colour of which represents the candidate for whom he desires to vote, and fold it according to the crease which appears in it, so that the said initials shall be on the outside and the mark made by the voter shall be on the inside, first wetting the mucilage so that the ends so brought together shall remain fastened.

Marking ballot by voter.

(2.) The voter shall then go into the inner room of the polling place and shall mark his ballot; and after complying with the directions of the deputy returning officer shall return to the outer room and hand his ballot together with the aforesaid pencils to the deputy

returning officer, who shall (subject to the provisions of sections 49, 50 and 52) in plain view of the scrutineers drop the ballot into the ballot box.

When ballot returned is not same as issued by returning officer.

(3.) If any voter hands to the deputy returning officer any ballot marked on the outside with another mark than the said initials and stamp, the deputy returning officer shall immediately destroy the same, and the said voter shall not be allowed to vote at that polling place.

Voter then to leave.

(4.) The voter shall leave the polling place as soon as his ballot has been placed in the ballot box and shall not enter it again unless in the discharge of some of the duties provided for in this Ordinance.

Entry in poll book.

(5.) The poll clerk shall write the word "Voted" in the poll book after the name and place of residence of every person who has voted as soon as his ballot has been deposited. No. 11 of 1897, s. 48; No. 4 of 1898, s. 7.

Voter may be charged with illegal voting.

49. When a person voting has been required to sign a statement and has signed it, the deputy returning officer, before receiving from him his marked ballot, shall (if so requested by any person acting as scrutineer of any candidate) serve such person with a notice, in the Form M in schedule 2 hereto, to appear at a time and place to be named in the notice to answer to a charge of having voted contrary to the provisions of this Ordinance; and shall give a copy of such notice to the person or persons so requiring such notice to be served.

Notice to answer charge.

(2.) The said notice may be given on behalf of one or more candidates.

Time for appearance to answer charge.

(3.) The time appointed in such notice for such appearance shall not be less than two days after the polling day.

Disposition of ballot in such case.

(4.) After serving the notice provided in the preceding sub-sections, the deputy returning officer shall—

(*a*.) Receive the ballot of the person desiring to vote;

(*b*) Place it in an envelope;

(*c*) Securely seal the envelope;

(*d*) Write upon it the name and place of residence of the person and his number as it appears in the poll book, the name and number of the polling place and his own name in full; and shall then

(*e*) Deposit it in the ballot box.

Entry in poll book.

(5.) The poll clerk shall enter in the poll book (in the next line below the particulars hereinbefore provided regarding the voter) a statement of—

(*a*) His having been served with such notice;

(*b*) The name of the person or persons at whose request the notice was served;

(*c*) The name of the candidate or candidates on whose behalf he or they were acting; and

(*d*) The place, day and hour where the person is required to appear. No. 11 of 1897, s. 49; No. 4 of 1898, s. 8.

Vote of election officers, how taken.

50. Any deputy returning officer, poll clerk, candidate, agent, or scrutineer who is resident in a polling division other than the one at which he is stationed on the polling day shall be permitted to vote at the polling station where he is so stationed provided he produces a certificate of his authority to act in such capacity from the returning officer, deputy returning officer, candidate, or agent of a candidate (as the case may be) having authority under this Ordinance to appoint him and after signing statement No. 3 prescribed in Form K of schedule 2 to this Ordinance; and a note shall be made of the particulars in the poll book opposite the voter's name.

Statement No. 2 to be subscribed if required.

(2.) On the demand of any scrutineer or person acting as such, any of the persons mentioned in this section applying to vote shall be required to subscribe to statement No. 2 of said Form K before being allowed to vote.

Election officer may be charged with illegal voting.

(3.) The provisions of section 49 shall apply to cases provided for in this section. No. 11 of 1897, s. 50.

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Court of Revision.

Time, place, and members of court of revision.

59. At the time and place mentioned in the notice served upon any voter as provided in sections 49, 50, or 52 (which time shall be as soon as may be and the place and building used as polling place or another building as near thereto as may be) the deputy returning officer sitting with a justice of the peace whom he shall select, or such justice as may have been appointed to sit with him by the Lieutenant-Governor, shall hear and dispose of any objections to the right of any voter of which notice was given during the polling day as provided in sections 49, 50, or 52.

Functions.

Constitution of court.

(2.) The deputy returning officer sitting with such justice of the peace as above provided shall constitute a court of revision within the meaning of this Ordinance. No. 11 of 1897, s. 59.

Powers of Court.

60. The court of revision shall for the purpose set forth in the preceding section have all the powers of a court of record as to compelling the attendance of witnesses and their examination, the production of books and documents, and the taking of evidence under oath of any sittings held by it; and such court shall have generally for the purposes aforesaid all the powers of any court of record in the Territories. No. 11 of 1897, s. 60; No. 4 of 1898, s. 12.

Compelling attendance of witnesses, production of documents, &c.

61. The court of revision or either of the members thereof shall (on the application of any person who is supporting or opposing any objection, complaint, or application which is to be considered at any of the courts or sittings hereinbefore provided for) issue a summons in the Form N in schedule 2 to this Ordinance directed to any person required by such applicant as a witness thereat, commanding such person to attend at such court or sittings and also commanding such person to bring any papers or articles in the possession or power of such person as may be required, and to give evidence at such court or sittings relating to any matter connected with any such objection, complaint or application; and (in the event of such person not so attending after being served with such summons and paid or tendered his proper witness fees according to the scale allowed in tariff A of schedule 3 to this Ordinance) may (on due proof of the service of the summons and of the payment or tender of the proper witness fees and on receiving from the person causing the witness to be summoned the fees for committing and conveying such witness to prison) commit such witness to the common gaol or other lawful place of imprisonment for a term not exceeding one month; and the fees for such commitment and conveyance shall be the same as when a person is committed to prison under a summary conviction.

Deposit to pay witness fees.

(2.) Before any summons is issued requiring the attendance of a witness at the court of revision the person desiring the attendance of such witness shall furnish the deputy returning officer with such sum of money as will be sufficient to pay the fees of the said witness as provided in the said tariff. No. 11 of 1897, s. 61; No. 4 of 1898, s. 13.

Right of voter to fees.

62. The person whose right to have voted is the subject of objection shall not be paid witness fees until the court decides that he had a right to vote, and such witness fees shall be paid to the deputy returning officer at or before the opening of the court of revision by the person or persons at whose request the inquiry is held. No. 11 of 1897, s. 62; No. 4 of 1898, s. 14.

Default of appearance by voter.

63. If the person whose right to vote is the subject of enquiry fails to appear personally or by agent, according to the notice received by him on polling day, his vote shall be disallowed and he shall be liable for the costs of all witnesses summoned in respect of his case. No. 11 of 1897, s. 63.

Withdrawal of complaint.

64. If at any time the person or persons at whose request the inquiry as to the rightfulness of any vote is being held notifies the deputy returning officer over his or their signatures that he or they wish the inquiry as to such vote to cease, or in case the witness fees mentioned in section 61 of this Ordinance are not paid to the deputy returning officer as therein provided, the inquiry shall cease forthwith, and such person or persons shall pay all fees of witnesses summoned by the court of revision and the expenses of summoning such witnesses up to the time at which he or they gave notice that the inquiry should cease; and such vote shall be allowed. No. 11 of 1897, s. 64; No. 4 of 1898, s. 15.

Proof of naturalisation.

65. In case any party to the inquiry requires a certified copy of the certificate of naturalisation of any voter whose vote is in question to be produced at such inquiry, he shall deposit with the deputy returning officer the necessary fees for procuring the same from the clerk of the court or other officer with whom such certificate of naturalisation is registered and a sum sufficient to cover postage and postal registration in sending for and forwarding such certified copy; and the deputy returning officer shall thereupon forthwith send by registered letter prepaid, addressed to such clerk or other officer, the said fee and a sum sufficient to cover the postage and postal registration to forward such certified copy together with the address to which it is requested such certified copy shall be sent, and a request to forward such certified copy to such address; upon receipt of which registered letter, fees and postage, such clerk or other officer shall forthwith by registered letter prepaid, addressed as requested, forward a certified copy of the certificate of naturalisation.

Validity of certificate of naturalisation as evidence.

(2.) Nothing in this section contained shall be held in any way to affect as evidence the validity of a certificate of naturalisation at any time issued to the voter whose vote is in question. No. 11 of 1897, s. 65.

Appearance in person or by agent.

66. Any of the parties to any such inquiry may appear before the court of revision in person or by agent. No. 11 of 1897, s. 66.

Questions to be determined by court.

67. The question to be determined at any inquiry by the court of revision hereby constituted shall be whether any statement made on polling day under the provisions of this Ordinance by the voter whose vote is the subject of the inquiry is false in whole or in part, and if false in part in what respect it is so false.

Where statement is proved false.

(2.) If it is proved to the satisfaction of the court that any voter whose vote is the subject of inquiry has made any such statement which is false in whole or in part the vote of such voter shall be disallowed; but if it be proved to the satisfaction of such court that every such statement so made by such voter is altogether true such vote shall be allowed.

Where statement is proved true.

Burden of proving truth of statements Nos. 1 and 3.

(3.) The burden of proving the truth of statements numbers 1 and 3 of Form K if made by the voter shall lie on him; but the person challenging the vote shall be at liberty to produce evidence in rebuttal showing that such statements, or either of them, if made by the voter, or some part thereof, is untrue.

Burden of proving truth of statement No. 2.

(4.) If the voter has made statement number 2 of the said form, it will be *prima facie* assumed to be a true statement; and the burden of proving that it or any part of it is untrue shall lie on the person challenging the vote; but the voter on evidence being given to prove that the said statement or any part of it is untrue shall be at liberty to adduce evidence in rebuttal to show that it is true.

Decision to be given in open court.

(5.) The decision of the court shall be rendered in open court, and if the members of the court fail to agree it shall be stated in open court. No. 11 of 1897, s. 67.

Adjournment of court.

68. Whenever (by reason of the absence of witnesses or other reasonable cause) it is impossible to hold or to conclude the inquiry on the day stated in the notice given on polling day, the court of revision shall cause the sitting to be adjourned from day to day until the inquiry is concluded:

Absence of material testimony.

Provided that the court (in case the adjournment is asked for on the ground of the absence of material testimony, documentary or otherwise) must be satisfied that the person whose duty it was to procure such testimony has used reasonable diligence to do so. No. 11 of 1897, s. 68.

Court to make returns of decisions reached.

69. The court shall forthwith after concluding its labours make a return of the decisions reached by it on the qualifications of the several voters whose right to vote is the subject of dispute; and if any vote has been disallowed it shall specify on what ground it has been disallowed; that is, if it has been disallowed on the ground that any statement made by the voter is false, it shall specify the statement; if on the ground that any such statement is false in part, it shall specify in what particular it is so false; and the court shall forward such return to the returning officer duly certified by both members of the court of revision, together with the poll books and statements pertaining to the election.

Where the court fails to agree, decision to be given by returning officer.

(2.) In case the members of the court of revision fail to agree, the full copy of the evidence certified to by both members of the court shall be forwarded with the return to the returning officer who shall render a decision.

Count by returning officer.

(3.) As soon as may be after the arrival of the returns and at least two days before he commences to count the ballots, the returning officer shall render his decision regarding any ballot upon which the court of revision has failed to agree; and shall in said decision if he disallows the vote state (as in sub-section 1 of this section) on what ground he disallows it. No. 11 of 1897, s. 69.

Court or returning officer may award costs.

70. The court of revision (or the returning officer when the decision is made by him) may award costs to or against any party to the application, which costs shall only be for witness fees and expenses of summoning witnesses according to the scale of fees in tariff A of schedule 3 to this Ordinance; and moneys deposited under the provisions of section 65 hereof and the said costs may be levied by order of the said court or the returning officer (as the case may be) by distress in the same manner as distress is leviable upon a warrant issued on a summary conviction. No. 11 of 1897, s. 70.

Expenses of court.

71. The expenses of holding the court of revision shall be charged as a part of the general expenses of the election. No. 11 of 1897, s. 71.

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Fees and Expenses of Returning Officers, &c.

Fees to officers, &c.

120. Except as hereinafter provided the fees in tariff C in schedule 3 to this Ordinance mentioned in respect to the several matters therein contained and no others shall be allowed to the several officers and persons therein mentioned respectively, for the services and disbursements in the said schedule mentioned. No. 11 of 1897, s. 118.

To be paid by warrant.

121. The said fees, allowances, and disbursements, together with reasonable expenses incurred for services rendered under this Ordinance shall be paid over by warrant of the Lieutenant-Governor directed to the Territorial Treasurer out of the general revenue fund of the Territories; and shall be distributed to the several officers and persons entitled to the same under the provisions of this Ordinance through the said Treasurer. No. 11 of 1897, s. 119.

Reasonable expenses for extraordinary services.

122. Anything to the contrary in this Ordinance notwithstanding, the Lieutenant-Governor may direct the payment by his warrant aforesaid out of the general revenue fund of such sums (over and above the allowance authorised by the two next preceding sections of this Ordinance) as may be required to pay the expenses reasonably incurred by any person for services rendered under this Ordinance, and also reasonable fees and allowances for any extraordinary services rendered by any person thereunder. No. 11 of 1897, s. 120.

SCHEDULE 3.

Tariff A.

Witness Fees. (Sections 61, 70.)

For every day necessarily absent from residence in going to, staying at, and returning from hearing—

	$
When residence is within four miles of place	1.00
When over four miles	2.00
For every mile necessarily travelled other than by railway ...	0.10
When railway used; actual fare paid.	

Tariff B.

Schedule of Costs to be allowed upon Inquiry before Judge of Supreme Court. (Sections 92, 94.)

	$
To the Clerk of the Court for receiving, filing, and entering each appeal and attending Judge with notification, and on hearing of appeal and judgment	2.00
To the Clerk for issuing each summons, subpœna, or notice ...	0.50
To the Clerk, all necessary postage.	
To the Clerk, taxing each bill of costs actually taxed	0.50
To witnesses, the same fees as are allowed in civil cases.	
To the Advocate for the party succeeding on each appeal ...	2.00

To be increased in the discretion of the Judge to an amount not exceeding $15.00.

Tariff C.

Fees for Election Services. (Section 120.)

	$
Returning Officer, where no poll is held	20.00
Election Clerk, where no poll is held	5.00
Returning Officer, where poll is held	75.00
Election Clerk, where poll is held	20.00
Deputy Returning Officer	5.00
Poll Clerk	3.00
Interpreter	2.00
(If employed in less than eight cases, 25 cents for each case.)	
Deputy Returning Officer and Justice of the Peace sitting as Court of Revision, each	5.00
Each officer for every mile necessarily travelled in the discharge of his duties	0.15
Rent of house for nomination...	4.00
Rent of house for polling station	4.00
Rent of house for Court of Revision	4.00
Rent of house for count by Returning Officer	4.00

BRITISH COLUMBIA.

SIR, Provincial Secretary's Office, Victoria, June 25, 1906.

WITH reference to the letter from the Private Secretary of the 28th of April, transmitting a copy of a despatch, dated 31st of March last, from the Colonial Office, received through the Department of the Secretary of State, with a copy of a question asked in the House of Commons on the subject of the machinery and cost of elections to legislative assemblies in foreign countries and in British Colonies, I have the honour to state, that in so far as this Province is concerned, information with regard to the first part of the question can best be obtained from the Provincial Elections Act, two copies of which I forward herewith.

The question, however, does not clearly indicate what particular are required as to the cost of elections. The statement enclosed herewith, does not, therefore, give details of the total expenses incurred in respect to the two last General Elections. As you are aware, all expenses in the aforesaid connexion are borne by the Treasury.

I am, &c.,
FRED. J. FULTON,
Provincial Secretary.

His Honour
The Lieutenant-Governor.

CHAPTER 17.

AN ACT to consolidate and amend the law respecting the qualification and registration of Electors, the regulation of Elections of Members of the Provincial Legislative Assembly, and the Trial of Controverted Elections.

[10th February, 1904.]

His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Colombia, enacts as follows:—

Short Title.

Short title.

1. This Act may be cited as the "Provincial Elections Act."

Interpretation.

Definition of "the Court." Jurisdiction defined.

2. The expression "the Court" shall, for the purposes of this Act, mean the Supreme Court of British Columbia, and such Court shall, subject to the provisions of this Act, have the same powers, jurisdiction and authority, with reference to an election petition and the proceedings thereon, as it would have if such petition were an ordinary cause within its jurisdiction.

Interpretation of terms.

3. The following terms shall, in this Act, have the meanings hereinafter assigned to them, unless there is something in the context repugnant to such construction, that is to say:—

"Candidate."

"Candidate" shall mean any person elected to serve in the Legislature at an election, and any person who is nominated as a candidate at such election, or is declared by himself or by others to be a candidate, on or after the day of the issue of the writ for such election, or after the dissolution or vacancy in consequence of which the writ has been issued; provided that where a person has been nominated as a candidate, or declared to be a candidate by others, then,—

(*a.*) If he was so nominated or declared without his consent, nothing in this Act shall be construed to impose any liability on such person, unless he has afterwards given his assent to his nomination or declaration or has been elected:

"Corrupt practices."

"Corrupt practices," or "corrupt practice," shall mean bribery, treating, illegal payments and undue influence, or any of such offences as defined by this or any Act of the Legislature, or recognised by the common law of the Parliament of England:

"Rules of Court."

"Rules of Court" shall mean rules to be made as hereinafter mentioned:

"Prescribed."

"Prescribed" shall mean prescribed by the Rules of Court:

"Speaker."

"Speaker" shall be deemed to include the person for the time being lawfully acting as Speaker; and when the office of Speaker is vacant, the Clerk of the Legislative Assembly, or any other officer for the time being performing the duties of the Clerk of the Legislative Assembly, shall be deemed to be substituted for and be included in the expression "the Speaker":

"Ballot paper."

"Ballot paper" shall mean a ballot paper as prepared in accordance with the provisions of section 100 of this Act:

"Ballot" or "vote."

"Ballot" or "vote" shall mean a ballot paper which has been detached from the counterfoil, furnished to an elector, and marked and deposited in a ballot box as a vote, by such elector:

"Tendering vote."

Any person applying for a ballot paper shall be deemed "to tender his vote" or "assume to vote":

The expression "presiding officer" shall mean Returning Officer or Deputy Returning Officer: "Presiding officer."

"Polling station" shall mean polling place: "Polling station."

"Clerk" shall mean Election Clerk: "Clerk."

"Election" shall mean the election of a member or members to serve in the Legislative Assembly: "Election."

"Elector" or "voter" shall mean any person who is, or who claims to be, registered as an elector in the Register of Voters for any Electoral District; or who is, or claims to be, entitled to vote at any election: "Elector" or "voter."

"Personal expenses," with respect to the expenditure of any candidate in relation to any election, shall include the reasonable travelling expenses of such candidate, and the reasonable expenses of his living at hotels, or elsewhere, for the purpose of and in relation to such election; and "Personal expenses."

"Registrar of Voters," shall mean the Registrar or Registrars of Voters for any Electoral District, or for any Polling Division of such District: "Registrar of Voters."

The expression "Chinaman" shall mean any native of the Chinese Empire or its dependencies not born of British parents, and shall include any person of the Chinese race, naturalized or not: "Chinaman."

The expression "Japanese" shall mean any native of the Japanese Empire or its dependencies not born of British parents, and shall include any person of the Japanese race, naturalized or not: "Japanese."

The expression "Indian" shall mean any person of pure Indian blood, and any person of Indian extraction having his home upon or within the confines of an Indian Reserve: "Indian."

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Returning Officers.

28. It shall be lawful for the Lieutenant-Governor in Council, from time to time, to appoint a fit and proper person to be the Returning Officer of each Electoral District, and to cause such appointment to be notified in the British Columbia Gazette; and from time to time, in his discretion, to revoke any such appointment and remove any person so appointed and to appoint another Returning Officer in the stead of the person so removed, or whose appointment is so revoked: Provided that nothing in this Act, or in any other law in force in this Province, shall be construed to exclude any Returning Officer from being elected a member for any district, except that for which he shall at such election act as Returning Officer, provided he be not under any other disqualification: Provided, also, that nothing in this Act, or in any other law in force in this Province contained, shall prevent the Lieutenant-Governor in Council from appointing the Registrar of Voters for the district to be the Returning Officer of such district. Lieut.-Governor in Council to appoint a Returning Officer for each Electoral District.

29. The following persons shall not be appointed Returning Officers, Deputy Returning Officers, Election Clerks, or Poll Clerks:— Persons disqualified as Returning Officers.

(1.) Members of His Majesty's Privy Council of Canada:
(2.) Members of the Senate of Canada:
(3.) Members of the Commons of Canada:
(4.) Members of the Executive Council or of the Legislative Assembly of British Columbia:
(5.) Judges of the Supreme Court of British Columbia:
(6.) The Registrar, District and Deputy Registrars of the Supreme Court of British Columbia:
(7.) Police Magistrates:
(8.) Ministers, priests, or ecclesiastics of any religion, or under any form or profession of religious faith, worship or denomination whatsoever:
(9.) Any person who has served as a member of the Legislative Assembly in the session immediately preceding the election, or in the session then being held, if the election takes place during a session of the Legislature:
(10.) Any person who shall have been found guilty by any Court for the trial of controverted elections, of any offence or dereliction of duty during an election within the period of seven years next after such offence or dereliction:
(11.) Any person who has been a candidate for election at the election then pending.

30. If any one of the persons mentioned in the preceding section acts as Returning Officer, or as Deputy Returning Officer, or as Election Clerk, or as Poll Clerk, he shall, upon summary conviction, be liable to a penalty of one hundred dollars. Penalty on persons disqualified acting as such.

31. None of the persons mentioned in this section shall be obliged to act as Returning Officer, or Deputy Returning Officer, or as Election Clerk, or Poll Clerk, that is to say:— Persons exempted.

Physicians and Surgeons:
Barristers and Solicitors:
Postmasters:
Or, persons being 60 years of age and upwards.

32. Every person appointed to act as Returning Officer who resides in the district for which he has been appointed, or who has accepted the appointment of Returning Officer for any district, who refuses to perform the duties of Returning Officer in such district at any such election as aforesaid, after having received the Writ of Election, shall for such refusal, upon summary conviction, be liable to a penalty of one hundred dollars, such person not being disqualified as aforesaid, and not being incapacitated by sickness, or by being a candidate at such election, or if, having a right to claim the exemption granted by the next preceding section, has not in fact claimed such exemption immediately after such appointment has been conferred upon him. Penalty for refusing to serve.

Presiding Officer at polling station.

33. The Presiding Officer may do, by the Deputy Returning Officers or Clerks appointed to assist him, any act which he is required or authorised to do by this Act at a polling station, except ordering the arrest, exclusion or rejection from the polling station of any person.

Polling Places.

Polling places and Polling Divisions.

34. It shall be lawful for the Lieutenant-Governor in Council from time to time to fix a polling place or polling places in each Electoral District; or if, in the opinion of the Lieutenant-Governor in Council, it is advisable to divide any Electoral District into any number of Polling Divisions, and to assign to each such Polling Division a polling place, in such manner as to enable each voter, so far as practicable, to have a polling place within a convenient distance of his residence; and such polling places and the boundaries of such Polling Divisions shall be proclaimed in the "British Columbia Gazette"; and every such Polling Division to alter and vary as in his discretion he may think fit.

Polling Divisions now established to be continued.

35. The existing Polling Divisions shall be deemed to be Polling Divisions established by virtue of this Act, and shall be continued as such Polling Divisions until altered or varied by the authority hereof.

Only one polling station in Victoria, New Westminster, Vancouver and Nanaimo Cities.

36. There shall not be more than one polling station in each of the Electoral Districts of Victoria City, New Westminster City, Vancouver City and Nanaimo City.

Returning Officer may appoint polling place in certain cases.

37. If, in any case, it happens that there is no place at which, under the provisions of this Act, the poll ought to be held, then the Returning Officer shall himself appoint the place or places in his district, or in each Polling Division of his district, selecting such as he deems most central and convenient for the majority of the electors.

Writ of Election.

Writs of Election to be addressed to Returning Officers, and return day to be mentioned therein.

38. Whenever a Writ of Election is issued for a general election, or for the election of a member to serve in the Legislative Assembly of this Province, the same shall be published in the "British Columbia Gazette," and shall be addressed and directed to the Returning Officer for the Electoral District so appointed as aforesaid, and in every such writ shall be mentioned the day on which such writ shall be returnable.

Form of Writ of Election.

39. The Writs of Election shall be in the following form:—

"EDWARD VII, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith, &c., &c., &c.

"To the Returning Officer of the Electoral District.

"We command you that, notice of the time and place of election being duly given, you do cause election to be made, according to law, of a member (*or as the case may be*) to serve in the Legislative Assembly of British Columbia for the Electoral District , and that you do cause the nomination of candidates at such election to be held on the day of , and do cause the name (*or* names) of such member (*or* members), when so elected, to be certified to the Deputy Provincial Secretary, at the City of Victoria, on or before the day of next, the election so made, distinctly and openly under your seal duly indorsed upon this Our Writ.

"In testimony whereof, We have caused these Our Letters to be made patent under the Great Seal of Our Province of British Columbia: Witness, , at Our Government House, this day of A.D. 19 .

"By Command.

"*A.B.*,

"Deputy Provincial Secretary."

Returning Officer to indorse on Writ date of receipt.

Form of indorsement.

40. Each Returning Officer shall, on receiving the Writ of Election, forthwith indorse thereon the date of his so receiving it, in the following terms:—

"Received the within Writ on the day of , 19 .

"*A.B.*,

"Returning Officer."

Duties of Returning Officer on receiving Writ.

And before taking any further action thereon he shall make a declaration in the manner and form hereinafter provided.

Returning Officer to make declaration.

Form.

41. Each Returning Officer shall, before the nomination day, make the following declaration, in the presence of at least two of the electors of the district, who shall attach their signatures to such declaration as witnesses, and shall annex the same to his return of the Writ of Election:—

"I, the undersigned Returning Officer for the Electoral District, do solemnly declare that I will act faithfully in the capacity of Returning Officer, without partiality, fear, favour, or affection.

"Dated this day of , 19 .

"(Signature) *A.B.*,

"Witnesses: "Returning Officer."

Penalty for omission.

And any Returning Officer who omits or neglects to make and subscribe the said declaration, or to annex it to his return, shall for such omission or default, on summary conviction before a Justice of the Peace, be liable to a penalty of fifty dollars.

Election Proclamation.

Lieut.-Governor in Council may appoint places for nomination.

42. It shall be lawful for the Lieutenant-Governor in Council from time to time to appoint by Proclamation the place for the nomination of candidates in each Electoral District.

Nomination of candidates at general election.

43. The nomination of candidates at every general election in the Province shall be fixed by the Lieutenant-Governor in Council for one and the same day in all the Electoral Districts.

Nomination day to be named in Writs.

44. The day so fixed by the Lieutenant-Governor in Council shall be named in the Writs of Election for the several Electoral Districts respectively to which such day shall apply.

Returning Officer to publish Proclamation at least eight days before nomination day.

45. In every Electoral District, the Returning Officer shall cause a Proclamation, in form hereinafter provided, to be published, by posting up the same in some public or conspicuous situation, on the outside door or outer wall near the door of the following buildings, that is to say: every Court House, Police Office, or other place where any Justice or Justices of the Peace usually sit or hold Court; and in districts and divisions where no Court is held, then in some conspicuous situation within the district, at least eight days before the day which, by such Proclamation, he has fixed for holding the said election, which day so fixed shall be called the nomination day.

How the eight days to be reckoned.

46. Neither the nomination day nor that of the publishing of such Proclamation shall be included within the said eight days.

Form of Proclamation.

47. The Proclamation shall be in the following form:—

" Electoral District.

"To Wit:

"Public Notice is hereby given to the electors of Electoral District that in obedience to His Majesty's Writ to me directed, and bearing date the day of in the year of Our Lord one thousand nine hundred and , I require the presence of the said electors at [*this must be the place fixed by the Lieutenant-Governor in Council for the nomination of candidates*] on the day of at 12 o'clock noon, for the purpose of electing a person (*or* persons, *as the case may be*) to represent them in the Legislature of this Province.

"The mode of nomination of candidates shall be as follows:—

"The candidates shall be nominated in writing; the writing shall be subscribed by two registered voters of the district as proposer and seconder, and by three other registered voters of the said district as assenting to the nomination, and shall be delivered to the Returning Officer at any time between the date of the Proclamation and one p.m. of the day of nomination, and in the event of a poll being necessary, such poll will be open on the day of at [*here mention the different places at which a poll is to be opened and kept*], of which every person is hereby required to take notice and govern himself accordingly.

"Given under my hand at the day of 19 .

"(Signature) *A.B.*,

"Returning Officer."

Returning Officer to fix polling day in Proclamation.

48. In and by the Proclamation aforesaid, the Returning Officer shall fix the day on which, in case a poll be granted as hereinafter provided, such poll shall be opened in conformity to law in his Electoral District, or in each polling division of his district (as the case may be), for taking and recording the votes of the electors.

Poll to be on the same day for each division of a district.

49. The day to be proclaimed by the Returning Officer for opening the poll shall be the same for every polling station of a district, and the poll shall be opened and held in all places in such district on that day only.

Day for holding of poll at a general election.

And at a bye-election.

50. In all Electoral Districts, at a general election, the day for holding the polls shall be the fourteenth day next after the expiration of the day fixed for the nomination of candidates, exclusive of such nomination day, or if such fourteenth day be a statutory holiday, then on the next following day not being a holiday; and at any election other than a general election the day so fixed upon which the poll shall be opened shall be the nearest date practicable subsequent to the nomination day, not being a statutory holiday.

Delay in posting Proclamation.

51. In cases where, from unforeseen delays, accidents, or otherwise, the Proclamation herein required could not be posted up so as to leave the required delay between the posting up of the Proclamation and the nomination day appointed by the Lieutenant-Governor in Council or by the Returning Officer, as the case may be, or in case any candidate should die after being nominated, or before the close of the polls, the Returning Officer may fix another day for the nomination of candidates, which day shall be the nearest day possible after allowing the number of days required by the preceding sections, between the posting up of the Proclamation and the nomination day; and in every such case the Returning Officer shall, with his return, make to the Deputy Provincial Secretary a special report of the causes which have occasioned the postponement of the election.

In case of destruction, &c., of Proclamation, provides for publishing another in lieu thereof.

Penalty for destruction, &c., of Proclamation.

52. In case the said Proclamation shall be destroyed, mutilated, effaced, defaced, or removed before the expiration of such period, the Returning Officer or other party required to publish the same as aforesaid shall, as soon as conveniently may be after he shall have become aware thereof, publish in like manner in its place another Proclamation, to the like purport and effect as the Proclamation so destroyed, mutilated, effaced, defaced or removed; and every person who shall wilfully destroy, mutilate, efface, deface, or remove such Proclamation affixed as aforesaid, during the period for which the same is hereinbefore required to remain so affixed, shall for every such offence, upon summary conviction before a Justice of the Peace, be liable to a penalty not exceeding twenty-five dollars.

Proclamation not to be invalidated by imperfect publication.

53. No Proclamation shall be invalidated by reason that it shall not have been affixed in every place, and for the full time hereinbefore required for publication thereof; but nothing hereinbefore contained shall be construed to exempt the Returning Officer or other person charged with the duty of publishing such Proclamation from the penalties of his neglect or wilful default.

Penalty on Returning Officer refusing or neglecting to publish Proclamation. Election not to be invalidated by imperfect publication.

54. Any Returning Officer refusing or neglecting to cause such Proclamation to be published as herein required shall, for such neglect or refusal, upon summary conviction before a Justice of the Peace, be liable to a penalty of one hundred dollars; but no election shall be invalidated by reason that it shall not have been affixed in every place, and for the full time hereinbefore required for the publication thereof.

Election Clerk.

Returning Officer to appoint an Election Clerk.

55. Each Returning Officer shall before the nomination day appoint, by a commission under his hand, a fit person to be his Election Clerk, and to assist him in the performance of his duties as Returning Officer, and such commission may be in the following form:—

Form of commission.

"To *E.F.* [*set forth his name, profession, trade or calling, and residence*].

"Know you that, in the capacity of Returning Officer for the Electoral District, I have appointed and do hereby appoint you to be Election Clerk, to act in that capacity according to law, at the approaching election for this district.

"Given under my hand, at , this day of the month of , in the year

"(Signature) *A.B.*,
"Returning Officer."

Election Clerk to take an oath of office.

56. Such Election Clerk shall take and subscribe, either before some Justice of the Peace for the district in which he resides, or before the said Returning Officer, the following oath:—

Form.

"I, the undersigned, *E.F.*, appointed Election Clerk for the Electoral District, do solemnly swear (*or* if he be one of the persons permitted by law to affirm, do solemnly affirm) that I will act faithfully in my said capacity as Election Clerk, and also in that of Returning Officer if required to act as such, according to law, without partiality, fear, favour, or affection. So help me God.

"(Signature) *E.F.*,
"Election Clerk."

"Sworn before me, this day of , 19 .
G.H., J.P.,
"*or* Returning Officer."

Penalty on persons refusing to perform the duty, or take oath.

57. Any person so appointed as Election Clerk who refuses to accept the said office, or who, having accepted such office, refuses or neglects to take and subscribe the said oath hereby above required of him, shall for such refusal or neglect, on summary conviction before a Justice of the Peace, be liable to a penalty of twenty-five dollars.

Another Election Clerk may be appointed in certain cases.

58. The Returning Officer may, either before or after the nomination day, appoint in the manner above mentioned another person as his Election Clerk, whensoever the case requires, either by reason of the death, illness or absence of any Election Clerk previously appointed, or of his refusal or neglect to act, or otherwise, and such new Election Clerk so appointed shall perform all the duties and comply with all the obligations of his office, in the same manner as if appointed under the provisions of section 55 of this Act.

Duty of Election Clerk in case the Returning Officer is unable to perform the duties of his office.

59. Whenever any Returning Officer becomes unable to perform the duties of his office, whether by death, illness, absence, or otherwise, the Election Clerk so by him appointed as aforesaid shall, under the same penalties, in case of refusal or neglect on his part, as are hereinbefore imposed in like cases on the Returning Officer, act as and shall be Returning Officer for the said election, and shall perform all the duties and obligations of that office, in like manner as if he had been duly appointed Returning Officer, and without being required to possess any other qualification or to take any new oath for that purpose; and in any such case the Election Clerk shall annex to his return to the writ of election the said oath so taken by him as aforesaid as Election Clerk.

Oath to be annexed to return in such cases.

Nomination.

Proceedings of Returning Officer on nomination day.

60. Every Returning Officer shall, at the time and place stated by him, in the Proclamation hereinbefore mentioned, proceed to the hustings (which shall be held in the open air, at such place as that all the electors may have free access thereto), and shall there make or cause to be made, in the presence of the electors there assembled at the hustings, the following Proclamation; and shall then and there read or cause to be publicly read the writ of election, and shall then and there name to the electors present the person or persons who have notified him, in the manner provided by law, that they are candidates for election to fill the vacancy or vacancies in the Legislative Assembly mentioned in the writ of election:—

Mode of Proclamation.

"Oyez! Oyez! Oyez!

"All persons are commanded and strictly enjoined to keep silence while His Majesty's writ for the present election is being read."

Mode of nominating candidates.

61. Every candidate for election to serve in the Legislative Assembly shall be nominated in writing. The writing shall be subscribed by two registered electors in the district for which such election is to be held as proposer and seconder, and by three other registered electors of

the same district as assenting to the nomination, and shall be delivered to the Returning Officer at any time between the date of the Proclamation and one p.m. of the day of nomination. The said writing may be in the Form E in the Schedule to this Act, and shall state the name, residence and addition or description of each person proposed, in such manner sufficiently to identify such candidate.

Where no more candidates than vacancies to be filled, Returning Officer to declare nominated candidates elected.

62. If at the expiration of the time appointed for the election as aforesaid no more candidates stand nominated than there are vacancies to be filled up, the Returning Officer shall forthwith declare the candidates who may stand nominated to be elected, and return their names; but if at the expiration of such time more candidates stand nominated than there are vacancies to be filled up, the Returning Officer shall declare the names of the candidates and publicly proclaim the day previously stated in his Proclamation and the place or places at which the poll shall be so opened in his district, or in each polling division of his district (as the case may be), for the purpose of taking the votes of the electors according to law, and shall then adjourn the election and shall take a poll in manner hereinafter mentioned, and shall cause to be posted up notices of his having granted such poll, indicating the names, residences and occupations of the candidates so nominated, in the order in which they shall be printed on the ballot papers; which notice shall, as soon as possible after the nomination, be placarded at all the places where the Proclamation for the election was posted up. Such notices shall be in the Form F in the Schedule of this Act.

Proceedings to be taken by Returning Officer in case more candidates stand nominated than there are vacancies to be filled up.

Notices of poll being granted.

Each candidate to be nominated by a separate nomination paper.

63. Each candidate shall be nominated by a separate nomination paper; but the same electors, or any of them, may subscribe as many nomination papers as there are members to be elected.

Consent of candidate named to accompany nomination paper.

64. (1.) No nomination paper shall be valid and acted upon by the Returning Officer unless it is accompanied by the consent in writing of the person therein nominated, except when such person is absent from the district in which the election is to be held,—in which case such absence shall be stated in the nomination paper; and—

Deposit by candidates.

Unless a sum of two hundred dollars is deposited in the hands of the Returning Officer at the time the nomination paper is filed with him; and the receipt of the Returning Officer shall, in every case, be sufficient evidence of the production of the nomination paper, of the consent of the candidate, and of the payment hereinmentioned;

(2.) The sum so deposited by any candidate shall be returned to him in the event of his being elected, or of his obtaining a number of votes at least equal to one-half the number of votes polled in favour of the candidate elected, if there be only one candidate to be elected; and if there be more than one candidate to be elected, then the deposit shall be returned to the candidate making the deposit, in the event of his being elected, or of his obtaining a number of votes at least equal to one-half the number of votes polled in favour of the candidate elected who shall receive the smallest number of votes; but in the event of the candidate making the deposit not obtaining a number of votes at least equal to one-half of the votes polled for the candidate elected, if there be only one candidate to be elected, or a number of votes at least equal to one-half of the votes polled for the candidate elected who receives the smallest number of votes, if there be more than one candidate to be elected, then, or in either of such cases, the deposit shall belong to His Majesty for the public uses of the Province; and the sums so paid and not returned as herein provided shall be applied by the Returning Officer towards the payment of the election expenses, and an account thereof shall be rendered by him to the Minister of Finance:

How deposit to be dealt with.

Deposit not to be subject to execution, &c.

(3.) In the event of any candidate being entitled, under the last preceding sub-section of this Act, to a return of the sum of two hundred dollars deposited by him, such sum shall be paid by the Returning Officer into the candidate's own hands, or into the hands of such person as the candidate may, in writing, direct; and the said sum, while in the hands of the Returning Officer, shall not be subject to any process of execution, attachment or garnishment; and no injunction shall be awarded to restrain the candidate from receiving such money or to prevent the candidate from applying such money in such way as he shall think fit.

Votes for candidates not nominated void.

Returning Officer to deliver to every candidate, &c., a list of candidates nominated.

65. Any votes given at any election for any candidate or candidates other than the candidate or candidates nominated in accordance with the provisions of this Act in that behalf shall be null and void. At the close of the time for nominating the candidates, the Returning Officer shall deliver to every candidate or agent of a candidate applying for the same a duly certified list of the names of the several candidates who shall have been nominated.

Withdrawal of candidates.

66. Any candidate nominated may withdraw at any time after his nomination and before the day preceding the opening of the poll but not afterwards, by giving a notice to that effect signed by him to the Returning Officer: Provided, that the proposer of a candidate nominated in his absence out of the Province may withdraw such candidate by a written notice signed by him and delivered to the Returning Officer, together with a statutory declaration of the continued absence of the candidate.

Notice of poll to be countermanded by Returning Officer in case of death of candidate.

67. If after the adjournment of an election by the Returning Officer for the purpose of taking a poll one of the candidates nominated shall die before the poll has commenced, the Returning Officer shall, upon being satisfied of the fact of such death, countermand notice of the poll, and all the proceedings with reference to the election shall be commenced afresh in all respects as if the writ had been received by the Returning Officer on the day on which proof

was given to him of such death: Provided, that no fresh nomination shall be necessary in the case of a candidate who stood nominated at the time of the countermand of the poll.

Notice of withdrawal of candidate.

68. If any candidate nominated during the time appointed for the election is withdrawn, the Returning Officer shall give public notice of the name of such candidate, as well as of the candidates who stood nominated or were elected.

Returning Officer not to permit speeches, &c., at the hustings at certain time on nomination day.

69. No speeches or other interruption to the proceedings of nominating candidates at the hustings shall be permitted by the Returning Officer between the reading of the writ of election and the closing of the proceedings on nomination day by the Returning Officer.

Agents.

Who may be agent of candidate.

70. Any person authorised in writing, but not otherwise, may act as the agent, counsel, attorney or clerk of a candidate during the continuance of an election; but no such person acting as an agent shall receive, either before, during or after the election, from any candidate, or from any person whomsoever, for acting in any such capacity as aforesaid, any sum of money, fee, office, place or employment, either for himself or for any other person, or any consideration whatever, or receive any promise, pledge or security whatsoever for any sum of money, fee, office, place or employment, either for himself or for any other person, or any consideration whatever. Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction before a Justice of the Peace, to a penalty not exceeding one hundred dollars.

Provision as to agent of absent candidate.

71. At any election as aforesaid, in the absence of any person authorised in writing to act as agent for any absent candidate, any elector in the interest of such candidate may, at any time during the election, declare himself to be and may act as the agent of any such candidate, without producing any special authority in writing for that purpose.

Candidate may act as agent.

72. A candidate may himself undertake the duties which any agent of his if appointed might have undertaken, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may, in pursuance of this Act, attend. If such agent dies or becomes incapable of acting during the time of the election, the candidate may appoint another agent in his place, and shall forthwith give to the Returning Officer notice in writing of the name and address of the agent so appointed.

No paid agent, attorney, counsel, &c., of any candidate to vote at the election.

73. Any person who at any time, either during the election, or before the election, is employed at such election, or in reference thereto, or for the purpose of forwarding the same by any candidate, or by any person whomsoever, as counsel, attorney or clerk at any polling place at such election, or in any other capacity whatever, and who has received, or expects to receive, either before, during or after the said election, from any candidate, or from any person whomsoever, for acting in any such capacity as aforesaid, any sum of money, fee, office, place or employment, or any promise, pledge or security whatsoever, for any sum of money, fee, office, place or employment, shall be incompetent to vote at such election, and his vote if given, shall be null and void; and for having so voted such person shall, upon summary conviction, be liable to a penalty of fifty dollars.

Penalty for so doing.

Procedure where acts are directed to be done in presence of agents.

74. Where in this Act any expressions are used requiring or authorising or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expression shall be deemed to refer to the presence of such agents of the candidates as may be authorised to attend, and as have in fact attended, at the time and place where such act or thing is being done, and the non-attendance of any agents or agent at such time and place shall not, if such act or thing be otherwise duly done, in anywise invalidate the act or thing done.

Deputy Returning Officers.

Returning Officer to appoint a Deputy.

75. For the purpose of taking the votes at such election, the Returning Officer shall, by a commission under his hand, appoint a Deputy Returning Officer for each Polling Division of a district, or for each separate polling place where such Returning Officer is himself personally unable to attend; and such commission may be in the following form:—

Form of commission.

"To *G. H.* [*insert his title and address*].

"Know you that in my capacity of Returning Officer for the Electoral District, I have appointed and do hereby appoint you to be Deputy Returning Officer (or one of the Deputy Returning Officers *as the fact is*) for the Electoral District (*or* for the Polling Division of the District), to take and record the votes of the electors at , in the said district (*or* in the said Polling Division).

"Given under my hand this day of , 19 .

"(Signature) *A. B.*,
"Returning Officer."

Deputy Returning Officer to make declaration.

76. Each Deputy Returning Officer shall, before acting as such, subscribe the following declaration, in the presence of not less than two electors of the district, who shall attach their signatures to such declaration as witnesses:—

Form.

"I, the undersigned *G. H.*, appointed Deputy Returning Officer for the district, do solemnly declare that I will act faithfully in my said capacity of Deputy Returning Officer, without partiality, fear, favour or affection.

"Dated this day of , 19 .

"(Signature) *G. H.*,
"Deputy Returning Officer.

"Witnesses:
"*J. K.*,
"*S. M.*"

77. Any person so appointed a Deputy Returning Officer who refuses to accept the said Office, or who, after having accepted the same, refuses or neglects either to take and subscribe the said declaration hereby required of him, or to perform the duties of a Deputy Returning Officer, shall for such neglect or refusal, upon summary conviction, be liable to a penalty of twenty-five dollars. Penalty on persons refusing to perform the duty or to make declaration.

78. The Returning Officer may appoint, in the manner above provided, another person to be Deputy Returning Officer, when and so often as the case may require such appointment, either by reason of the death, illness, or absence of a Deputy Returning Officer previously appointed, or by reason of his refusal or neglect to act in that capacity or otherwise; and such new Deputy Returning Officer so appointed shall perform all the duties and obligations of the said office, under the same penalties in case of refusal or neglect on his part as are hereinbefore imposed in like cases. Returning Officer may appoint another Deputy in certain cases.

79. The Returning Officer shall, by a warrant under his hand, addressed to each of the Deputy Returning Officers by him appointed as aforesaid, require such Deputy Returning Officer to open and hold the poll according to law, at the time and place fixed as hereinbefore provided and set forth in his said warrant, in the polling division of the district for which such Deputy has been so appointed, or at the polling place where such Deputy is required to act. Such warrant may be in the following form:— Returning Officer to issue his warrant for holding the poll, &c., to each of his Deputies.

" Electoral District.

" To *G. H.*, Deputy Returning Officer for the Electoral District. Form of warrant.

" Whereas, by His Majesty's Writ to me directed, and bearing date the day of , 19 , I am commanded to hold an election of member to represent the Electoral District in the Legislative Assembly of this Province and whereas a poll was granted by me according to law. These are, therefore, to authorise and require you to open and hold the poll of such election at on the day of , 19 , at eight o'clock in the forenoon, and there to keep the said poll open until seven o'clock in the afternoon at the said polling place, and to return to me this Warrant immediately after the close of the poll.

" Given under my hand at this day of , 19 .
" (Signature) *A. B.*"

Poll Clerks.

80. The Returning Officer for the principal polling place at which he presides, in addition to the Election Clerk, and every Deputy Returning Officer, may, by a commission under his hand, appoint a Poll Clerk or Poll Clerks to assist him in taking the poll according to law; and each Poll Clerk appointed as aforesaid shall, before acting as Poll Clerk, take and subscribe, either before a Justice of the Peace for the district in which he resides, or before the Returning Officer, or such Deputy Returning Officer, the oath hereinafter set forth, which commission may be in the following form:— Returning Officer and Deputy may appoint Poll Clerk by commission. Oath to be taken.

" To *J. K.* [*insert his profession, trade or calling, and residence*]. Form of commission.

" Know you, that in my capacity of Deputy Returning Officer (*or* one of the Deputy Returning Officers *or* Returning Officer, *as the fact is*) for , I have appointed and do hereby appoint you to be Poll Clerk for .

" Given under my hand at , this day of the month of , in the year .

" (Signature) *G. H.*,
" Returning Officer" *or* " Deputy Returning Officer."

And which oath may be as follows:—

" I, the undersigned, *J. J.*, appointed Poll Clerk for in the of , do solemnly swear (*or*, if he be one of the persons permitted by law to affirm in civil cases, do solemnly affirm) that I will act faithfully in my capacity of Poll Clerk, and also in that of Deputy Returning Officer, if required to act as such, according to law, without partiality, fear, favour or affection. So help me God. Form of oath.

" (Signature) *J. J.*,
" Poll Clerk.

" Sworn before me this day of , 19 .

" *C. D.*, J.P.,
" Returning Officer" *or* " Deputy Returning Officer."

81. Any person so appointed a Poll Clerk who refuses to accept the said office, or who, after having accepted the same, refuses or neglects either to take and subscribe the oath hereby required of him, or to perform the duties of a Poll Clerk, or any Election Clerk who neglects or refuses to perform the duties of a Poll Clerk, shall for such neglect or refusal, upon summary conviction before a Justice of the Peace, be liable to a penalty of twenty-five dollars. Penalty on Persons refusing to perform the duty, or to take the oath.

82. Each Poll Clerk shall, at the polling place for which he is appointed, aid and assist in the performance of the duties of his office the Returning Officer or Deputy Returning Officer appointed to open and keep the poll at such place in conformity to this Act, and shall obey the orders of the said Returning Officer or Deputy Returning Officer. Duty of the Poll Clerk.

To perform the duty of Deputy Returning Officer in certain cases.

83. If the Deputy Returning Officer refuses or neglects to perform the duties of his office, or becomes unable to perform them, either by death, illness absence or otherwise, and if in any such case no other Deputy Returning Officer duly appointed by the Returning Officer in the place of the former appears at the polling place, then such Poll Clerk, or, if more than one, the Poll Clerk who has first received his appointment, shall (under the same penalties as are, for neglect or refusal, hereinbefore imposed in like cases on a Deputy Returning Officer) act at such poll as Deputy Returning Officer, and perform all the duties and obligations of that officer in the same manner as if he had been appointed Deputy Returning Officer by the Returning Officer, and without being bound to take any new oath for that purpose.

In such case he may appoint another Poll Clerk.

84. Whenever any Poll Clerk, in the case hereinbefore provided, acts as Deputy Returning Officer, he may appoint, by a commission under his hand, another person as Poll Clerk, to aid and assist him as aforesaid in the performance of the duties of his office, and may administer to such person the oath hereinbefore required of a Poll Clerk, and the Poll Clerk so appointed shall have the same duties and obligations as if he had been appointed Poll Clerk by the Deputy Returning Officer himself.

Returning Officer or his deputy may appoint another Poll Clerk in certain cases.

85. Whenever any Poll Clerk, appointed under the requirements of this Act, refuses or neglects to perform his duty as such, or becomes unable to perform it, either by death, illness, absence or other cause, the Returning Officer, or Deputy Returning Officer whose Poll Clerk he was, may appoint, by a commission under his hand, another person as Poll Clerk at the said polling place, and may administer to him the oath hereinbefore required of a Poll Clerk.

Declaration of a Candidate.

Candidate to make declaration if required.

86. Any candidate, before he shall be capable of being elected, shall, if required by any other candidate, or by any elector, or by the Returning Officer, make the following declaration:—

Form.

"I, *A. B.*, do hereby most solemnly and sincerely declare that I am duly registered on the Register of Voters for the Electoral District (*or, as the case may be*) for this year, and that I have resided in this Province for the space of twelve months, and that I am not, to the best of my belief, in any way disqualified for election.

"Dated this day of , 19 .

A. B.

"Taken and acknowledged before me this day of , 19 .

C. D., J.P.

or Returning Officer.

Declaration may be voluntarily made.

87. Any person may, with a view to his becoming a candidate at any election of a member of the Legislature, make, at any time after the date of the Writ of Election, voluntarily, and without waiting to be required to do so, the declaration lastly hereinbefore mentioned; and any such declaration so made voluntarily as aforesaid shall, to all intents and purposes, have the same force and effect as if it had been made after his being thereunto required according to law.

In what cases only a candidate may be called upon to make declaration.

88. No such declaration, when any candidate is required to make the same by any other candidate, or by any elector, or by the Returning Officer, in the manner hereinbefore provided, need be so made by such candidate unless the same has been personally required of him on or before the day of nomination of candidates at such election, and before a poll has been granted, and unless he has not already made the same voluntarily as hereinbefore provided, and not in any other case; and when any such declaration has been so required according to law, the candidate called upon to make the same may do so at any time during such election, provided it be made before the proclamation to be made by the Returning Officer at the close of the election of the person or persons elected at such election.

At what time it may be made, if required.

Before whom it may be made, and how attested.

89. When such declaration is so made by any candidate, whether voluntarily or in consequence of his being thereunto so required as aforesaid, it shall be made either before the Returning Officer or before a Justice of the Peace, and such Returning Officer or Justice of the Peace shall take the same, and shall attest it by writing at the foot thereof the words "Taken and acknowledged before me," or other words to the like effect, and by dating and signing such attestation.

Returning Officer to certify the delivery to him of the declaration, under a penalty of $200.

What shall be deemed the date of any such declaration, and who shall deliver it to the Returning Officer.

90. Any candidate who delivers or causes to be delivered such declaration, so made and attested, to the Returning Officer, at any time before the proclamation made by him at the closing of the election as hereinbefore mentioned, shall be deemed to have complied with the law to all intents and purposes as regards such declaration; and any Returning Officer thereunto so required shall be bound under a penalty of two hundred dollars, in case of refusal to give, forthwith after such declaration is delivered to him, to the candidate or other person who has delivered the same, an acknowledgment under his hand of the delivery of such declaration; and every such declaration shall, for all the purposes of such election, be deemed to have been made on the day on which it has been so delivered to the Returning Officer, either by the candidate or by any person on his behalf, whatever be the date of its receipt or of its attestation; and the possession of such declaration shall be *prima fâcie* evidence of the possessor having been authorised by the candidate to deliver it to the Returning Officer.

Electors.

Electors may vote in one but no other Polling Division, and must not vote in two Electoral Districts.

91. Any person whose name shall be on the Register of Voters for any Electoral District, or Polling Division thereof, may vote at any election for a member to serve in the Legislative Assembly for such district in any one (but no other) Polling Division of such Electoral District; and at any election no person shall be entitled to vote in more than one Electoral District; and any person contravening any of the provisions of this section shall be liable, on summary conviction before a Justice of the Peace, to a penalty not exceeding fifty dollars.

Penalty for voting in more than one polling place.

92. If any elector shall vote at more than one polling place in any one Electoral District, he shall, on summary conviction before a Justice of the Peace, be liable to a penalty of fifty dollars, and all the votes given by him shall be null and void.

Who may vote.

93. At any election for an Electoral District, a person shall not be entitled to vote unless his name is on the Register of Voters for the time being in force for such district, and every person whose name is on such register shall be entitled to demand and receive a ballot paper and to vote: Provided that nothing in this section shall entitle any person to vote who is prohibited from voting by any statute or by reason of any disability, or relieve such person from any penalties to which he may be liable for voting.

Any person whose name is on two registers shall not vote. Penalty for voting while his name is on two registers.

94. Any person whose name is on the Register of Voters of two or more Electoral Districts, who shall permit his name to remain on more than one register, shall have no right to vote at any election; and if such person shall vote while his name remains on the register of more than one Electoral District, he shall, on summary conviction before a Justice of the Peace, be liable to a penalty of fifty dollars.

Returning Officer to vote only in case of tie.

95. The Returning Officer in any Electoral District shall not vote except in the case of a tie, as hereinafter provided.

No Registrar of Voters entitled to vote in his district. Penalty.

96. No Registrar for an Electoral District shall be entitled to vote at any election of a member or members of the Legislature in the Electoral District for which he is so respectively appointed as aforesaid; and any vote given by any such person shall be null, and any such person voting shall, on summary conviction before a Justice of the Peace, be liable to a penalty of fifty dollars.

Maintenance of Secrecy.

Infringement of secrecy.

97. Every officer, clerk and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorised by law, before the poll is closed, to any person any information as to the official mark; and no such officer, clerk or agent, and no person whatsoever, shall interfere with, or attempt to interfere with, a voter when marking his ballot, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter is about to vote or has voted. Every officer, clerk and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall, directly or indirectly, induce any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his ballot.

Declaration of secrecy.

98. Every Returning Officer or Deputy Returning Officer, and every officer, clerk or agent authorised to attend at a polling station, or at the counting of the votes, shall before the opening of the poll, in addition to the oath or declaration required of him, make a statutory declaration of secrecy in the Form H in the Schedule hereto, in the presence, if he is the Returning Officer, of a Justice of the Peace, and if he is any other officer or an agent, of a Justice of the Peace or of the Returning Officer.

Prohibition of disclosure of vote.

99. No person who has voted at an election shall, in any legal proceeding to question the election or return, be required to state for whom he has voted.

Procedure at the Polls.

Ballot paper.

100. In the case of a poll at an election, the votes shall be given by ballot. The ballot of each elector shall consist of a paper (in this Act called the ballot paper) showing on its face the names and descriptions of the candidates. Each ballot paper shall have the counterfoil attached, with the electoral district and the said date printed on its face, and a number printed on its back. The counterfoils shall be bound or stitched together, and numbered consecutively. Any ballot paper which has not on its back the official mark, or on which votes are given to more candidates than the elector is entitled to vote for, or on which anything is written or marked by which the elector can be identified, shall be void and not counted.

Contents and form of ballot paper.

101. Every ballot paper shall contain a list of the candidates, described and arranged alphabetically in the order of their surnames, and (if there are two or more candidates with the same surname) of their other names. The ballot paper and counterfoil shall be in the Form G set forth in the Schedule to this Act, or as near thereto as circumstances admit, and the ballot paper shall be capable of being folded up.

Hours poll to be open. Elector may vote for any number of candidates not exceeding number of members to be chosen.

102. At every poll the voting shall commence at eight o'clock in the forenoon and close at seven o'clock in the afternoon, unless adjourned as hereinafter provided in case of riot or other interruption, and any elector may vote for any number of candidates not exceeding the number of members to be chosen.

Returning Officer to preside at principal polling place.

103. The Returning Officer shall preside at the principal polling place in his district where the nomination of candidates has been held (or at the nearest polling place thereto), and the Election Clerk shall act as Poll Clerk (or one of the Poll Clerks) at such principal polling place.

Returning Officer to give notice of situation of polling stations, etc.

104. The Returning Officer shall give public notice of the situation of polling stations.

General powers and duties of Returning Officers.

105. Subject to the provisions of this Act, every Returning Officer shall provide such nomination papers, polling stations, ballot boxes, ballot papers, stamping instruments, copies of Register of Voters, and other things, appoint and pay such officers, and do such other acts and things as may be necessary for effectually conducting an election in manner provided by this Act.

Returning Officer to furnish his Deputies with register of voters.

106. Every Returning Officer shall furnish every Deputy Returning Officer, Election Clerk and Poll Clerk with a copy of the Register of Voters relating to the district for which he is appointed Returning Officer, which copy shall be certified under the hand of the Registrar of Voters of the district; and such certified copies shall be furnished by the Registrar for the district, according to the requisition made to him in that behalf by such Returning Officer.

Returning Officer to provide materials for marking ballot papers.

107. The Returning Officer shall provide each polling station with materials for electors to mark the ballot papers, with instruments for stamping thereon the official mark, and with copies of the Register of Voters. He shall keep the official mark secret, and an interval of not less than seven years shall intervene between the use of the same official mark at elections for the same Electoral District.

Returning Officer may hire rooms.

108. The Returning Officer shall cause rooms to be hired (if necessary) at every polling place within his district, in accordance with the instructions (if any) received by him from the Lieutenant-Governor in Council.

Voting compartments.

109. There shall be at each polling place a separate room or compartment with a separate and distinct entrance and exit for at least every two hundred and fifty voters, and such rooms or compartments shall be designated by letters of the alphabet affixed over the entrance, and no elector shall be permitted to poll his vote in any such room or compartment unless his name shall commence with the letter or one of the letters so affixed. There shall be a Deputy Returning Officer and a separate ballot box for each such compartment or room.

Polling station to be furnished with compartments for voting.

110. Each polling station shall be furnished with such number of compartments, in which the electors can mark their votes screened from observation, as the Returning Officer thinks necessary, so that at least one compartment be provided for every two hundred and fifty electors entitled to vote at such polling station.

Separate room or booth may be used.

111. A separate room or separate booth may contain a separate polling station, or several polling stations may be constructed in the same room or booth.

Ballot boxes, how constructed.

112. Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box being unlocked. The presiding officer at any polling station, just before the commencement of the poll, shall show the ballot box empty to such persons, if any, as may be present in such station, so that they may see that it is empty, and shall then lock it up and place his seal upon it in such manner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

Official mark on ballot paper.

113. At the time of voting the ballot paper shall be marked in or near the middle of the back, on the part nearest to the counterfoil, with the official mark, either stamped or perforated, and delivered to the elector within the polling station, and the number, name and description of the elector, as stated in the copy of the Register, shall be called out, and the number of such elector shall be marked in ink on the face of the counterfoil, and a mark shall be placed in the Register against the number of the elector to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.

Directions for marking ballot paper.

114. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station, and shall then and therein mark his ballot paper by making a cross in the circular white portion of the ballot paper opposite to the division (or, if there is more than one to be elected, opposite to each of the divisions) containing the name or names of the candidate or candidates for whom he desires to vote, and he shall then fold the ballot paper across so as to conceal the names of the candidates and the marks upon its face, but so as to expose the official mark stamped on the back of the ballot paper, and, leaving the compartment, shall, without delay, and without showing the front to anyone or so displaying the ballot paper as to make known to any person the name of the candidate for whom he has marked his vote, deposit such ballot paper in the closed ballot box, having first shown to the presiding officer the stamped official mark on the back. The elector shall then forthwith leave the polling station.

None but voter to enter balloting compartment.

115. While any elector is in any balloting compartment for the purpose of marking his ballot paper, no other person shall be allowed to enter the compartment or to be in any position from which he can observe the mode in which the elector marks his ballot paper.

Presiding officer may mark ballot of voter unable to read.

116. The presiding officer, on the application of any elector who makes such a declaration as hereinafter mentioned that he is unable to read, shall, in the presence of the agents of the candidate, cause the vote of such elector to be marked on a ballot paper in manner directed by such elector, and the ballot paper to be placed in the box, and the name and number on the Register of Voters of every elector whose vote is marked in pursuance of this section, and the reason why it is so marked, shall be entered on a list, in this Act called "The List of Voters marked by the Presiding Officer."

Declaration of inability to read.

117. The declaration of inability to read shall be made by the elector in the Form I in the Schedule hereto, at the time of polling, before the presiding officer, who shall attest it as in the same form mentioned, and no fee, stamp, or other payment shall be charged in respect of such declaration, and the said declaration shall be given to the presiding officer at the time of voting.

Tendered ballot paper.

118. If a person representing himself to be a particular elector named on the Register applies for a ballot paper after another person has voted as such elector, the applicant shall,

upon duly answering the questions and taking the oath permitted by law to be asked of and to be administered to voters at the time of polling, be entitled to mark a ballot paper in the same manner as any other elector, but the ballot paper (in this Act called a tendered ballot paper) shall be of a colour differing from the other ballot papers, and instead of being put into the ballot box, shall be given to the presiding officer, and indorsed by him with the name of the elector and his number in the Register of Voters and set aside in a separate packet, and shall not be counted by the presiding officer at the count made immediately after the close of the poll, nor by the Returning Officer on the final count. And the name of the elector and his number on the register shall be entered on a list in this Act, called the "Tendered Votes List."

Another ballot paper may be issued to voter inadvertently spoiling his ballot paper.

119. An elector who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering to the presiding officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the presiding officer, obtain another ballot paper in the place of the ballot paper so delivered up (in this Act called a spoilt ballot paper), and the spoilt ballot paper shall be immediately cancelled.

Votes objected to, how to be distinguished.

120. In every case where the vote of any person is objected to by any candidate or his agent, the Returning Officer or Deputy Returning Officer shall enter the objection in the Register of Voters, by writing opposite the name of the elector the words "objected to," mentioning at the same time by which candidate, or on behalf of what candidate, the objection has been made, by adding after the words "objected to" the name only of such candidate.

Persons on the register of voters to be allowed to vote on taking an oath, if required.

121. The Returning Officer or Deputy Returning Officer, at any election shall receive the vote of any person whose name he finds in the Register of Voters furnished to him or in his possession as aforesaid: Provided, that such person shall, if required by any candidate, or the agent of any candidate, or by the Returning Officer or Deputy Returning Officer, take the following oath or affirmation, which such Deputy Returning Officer is hereby empowered to administer:—

Form of oath.

"You swear (*or* solemnly affirm) that you are [*name of the voter*], whose name is entered on the copy of the Register of Voters now shown to you as [*showing copy of register to voter*]; that you have not before voted at this election either at this or any other polling place, and that you have not received anything, nor has anything been promised to you, either directly or indirectly, in order to induce you to vote, or to refrain from voting, at this election, and that you are a British subject of the full age of twenty-one years. So help you God."

And no other oath or affirmation shall be required of any person whose name is entered on any Register of Voters as aforesaid.

The word "sworn" to be entered against the name of electors who have taken the oath

122. When any elector has taken the oath required of him by this Act, the Returning Officer or Deputy Returning Officer shall state that such oath was taken by the elector, by entering opposite the name of such elector in the Register of Voters the word "sworn" and nothing more.

Returning Officer and Deputy Returning Officer must swear voters in certain cases.

123. When any Returning Officer, or Deputy Returning Officer, has reason to know or believe that frauds and violence are being practised, in violation of the rights of electors, by which undue votes are tendered, or that any elector is not qualified, or has already voted at the said election, and offers to vote again, or tenders his vote under a false name or designation, or personates, or represents himself falsely as being on the Register of Voters, such Returning Officer, or Deputy Returning Officer, shall administer the oath lastly hereinbefore mentioned to such elector, whether he be required to do so or not by any party.

Penalty for voting without taking oath when required.

124. If any elector votes at any such election, without having previously taken such oath or made such affirmation, when he has been thereunto required by one of the candidates, or his agent, such elector shall, upon summary conviction before a Justice of the Peace, be liable to a penalty of fifty dollars.

Refusal of voter to take the required oath to be entered in register. Vote not to be taken; if taken, to be null, and officer to incur a penalty.

125. When any such elector has been so required by the Returning Officer, or the Deputy Returning Officer, or by any of the candidates, or by the agent of any candidate, to take such oath or to make such affirmation, and refuses to take or make the same, his refusal shall be stated by the Returning Officer, or Deputy Returning Officer in the register of voters, by entering opposite the name of such elector the word "refused," and in every such case the vote shall not be taken; and if any vote is in any such case taken it shall be *ipso facto* null and void, and the Returning Officer, or Deputy Returning Officer, shall, for having taken the same, or for having caused it to be taken, upon summary conviction before a Justice of the Peace, be liable to a penalty of fifty dollars.

Powers of presiding officer, and administration of oaths, &c.

126. Any presiding officer, and any clerk appointed by the Returning Officer to attend at a polling station, shall have the power of asking the questions and administering the oath authorised by law to be asked of and administered to electors, and any Justice of the Peace and any Returning Officer may take and receive any declaration authorised by this Act to be taken before him.

Interpreter may be employed and sworn when voter does not understand English.

127. Whenever any elector does not understand the English language, the Returning Officer, or Deputy Returning Officer, may make use of an interpreter to translate the oath or affirmation required of such elector; and such interpreter shall take before the said Returning Officer, or Deputy Returning Officer, the oath or (if he be one of the persons permitted by law to affirm in civil cases) the affirmation following—

Oath.

"I swear (*or* affirm) that I will faithfully translate such oaths, declarations and affirmations as the Returning Officer, or Deputy Returning Officer, shall require me to translate at this election. So help me God";

and in case no such interpreter can be found, such elector shall not be permitted to vote.

If no interpreter, elector not to vote.

Officers not to grant, make, or enter into scrutiny.

128. No Returning Officer, or Deputy Returning Officer, shall grant, make, or enter into any scrutiny of the votes given at any election.

Sealing up ballot boxes and counting votes at close of poll.

129. Immediately after the close of the poll, the ballot boxes shall be sealed up so as to prevent the introduction of additional ballot papers, then the returning officer at his station, and each deputy returning officer at his respective polling station, after first having ascertained and recorded the number of ballot papers that have been issued by each Poll Clerk at each station, shall, in the presence of Poll Clerk and the candidates or their agents, and if the candidates or their agents or any of them, are absent, then in the presence of such, if any, of them as are present and at least of two electors, open the ballot box and proceed to count the number of votes given for each candidate, and in doing so he shall reject all ballots which, in his opinion, should be rejected by the Returning Officer at the final count as hereinafter provided.

Written statement of votes given to each candidate to be made.

(1.) The ballots having been counted, he shall make, in duplicate, a written statement, signed by himself and such persons who are present and consent to sign the same, showing the number of votes given to each candidate; and of the number of rejected ballots:

Ballot papers, voters list, and other election papers to be sealed up in separate packages.

(2.) All the ballots indicating the votes given for the candidates shall be put into a separate envelope or parcel, and those rejected, those spoiled, those unused, and the tendered ballot papers shall, respectively, be put into a separate envelope or parcel, and all these parcels, being endorsed so as to indicate their contents, together with the marked copies of the Register of Voters, and the counterfoils of the ballot papers, and the tendered votes list, and the list of votes marked by the presiding officer, and a statement of the number of the electors whose votes are so marked by the presiding officer under the head "unable to read," and the declaration of inability to read, shall be put into the ballot box:

Ballot paper account.

(3.) A statement made by such presiding officer, showing the number of ballot papers entrusted to him and accounting for them under the heads of ballot papers used, unused, spoilt, and tendered ballot papers, which statement is referred to as the "ballot paper account," shall also be placed in the ballot box:

Ballot boxes and papers to be sent to Returning Officer.

(4.) The ballot box shall then be locked and sealed, and shall be delivered to the Returning Officer, or to the Election Clerk, who shall receive or collect the same; and in case of both of them being unable to do so, then to one or more persons specially appointed for that purpose by the Returning Officer:

Presiding Officer to give certificate of ballots given and number rejected.

(5.) The presiding officer at each polling station shall deliver or mail to each of the candidates, or their agents, a certificate of the number of ballots given for that candidate, and of the number of rejected ballots.

Returning Officer to make arrangements for final count of the ballots.

130. As soon as possible after the Returning Officer shall have received from the several Deputy Returning Officers the ballot boxes transmitted to him as aforesaid, he shall make arrangements for counting the ballots in the presence of the candidates, or of their agents, and shall give to the agents of the candidates appointed to attend at the counting of the ballots notice in writing of the time and place at which he will begin to make the final count.

Final count, who may be present, &c.

131. At the time and place named he shall, in the presence of the candidates, or their agents, open the ballot boxes and proceed to make a count, herein called the final count, of all the ballots taken by him at his own station, or returned to him by the several Deputy Returning Officers, and on such final count he shall open the sealed packets containing the ballots and the rejected ballot papers.

Counting to proceed continuously as far as practicable.

132. The Returning Officer shall, so far as practicable, proceed continuously with counting the ballots, allowing only time for refreshment, and excluding (except so far as he and the agents otherwise agree) the hours between seven o'clock at night and nine o'clock on the succeeding morning. During the excluded time the Returning Officer shall place the ballots and other documents relating to the election under his own seal and the seals of such of the agents of the candidates as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents.

Decision of Returning Officer as to ballot paper to be final.

133. At the final count the Returning Officer shall examine ballots rejected by the several Presiding Officers, and shall scrutinise the marked copies of the Register of Voters received from the several Deputy Returning Officers, for the purpose of ascertaining whether any elector has voted more than once, and the decision of the Returning Officer at the final count as to any question arising in respect of any ballot paper shall be final, subject to reversal on re-count before the County Court Judge or on appeal, or on petition questioning the election on return.

Reasons for rejection of ballots.

134. On the final count the Returning Officer shall reject ballots for the following reasons:—

(1.) Want of official mark:
(2.) Voting for more candidates than entitled to:
(3.) Writing or mark by which voter could be identified:
(4.) Unmarked or void for uncertainty:
(5.) Being dissimilar to those officially supplied:
(6.) Being marked outside the circular white portion of the ballot paper.

Indorsement of rejected ballot papers.

135. The Returning Officer shall indorse "rejected" on any ballot paper which he may, on the final count, reject as invalid, and shall add to the indorsement "rejection objected to" if an objection be in fact made by any agent to his decision.

Rules to be observed in counting ballots.

136. When votes are to be counted, either immediately after the poll or at final count by the Returning Officer the Presiding Officer shall open and examine the ballots, and call out in a distinct voice the name of the candidate or candidates for whom votes are recorded thereon, keeping a record of the votes given for each candidate. Whilst the ballots are being counted they

shall be placed on a table with their printed faces upwards, so that the candidates, or their agents, can see the manner in which the face of the ballot is marked.

Proceedings when ballot box lost or destroyed.

137. Where the ballot box of any polling station has been destroyed, lost, or for any other reason is not forthcoming, the Returning Officer shall receive a copy of the written statement mentioned in sub-section (1) of section 129 of this Act (certified by the officer making such statement to be a true copy) as evidence of the number of votes given for each candidate at such polling station, and he shall base his final count, as far as such polling station is concerned, upon the figures which are certified to him by the officer whose ballot box has been lost, destroyed or is not forthcoming.

Agents of candidates may be present at the count.

138. The candidates may respectively appoint agents, in the manner hereinbefore mentioned, to attend the counting of the ballots.

Returning Officer may appoint assistants.

139. In the case of a contested election for any Electoral District, the Returning Officer may, in addition to any clerks, appoint competent persons to assist him in counting the ballots.

Certain persons not to be appointed.

140. No person shall be appointed by a Returning Officer for the purposes of an election who has been employed by any other person in or about the election.

What persons may be present at the counting of ballots.

141. The presiding officer, his assistants, clerks and constables, the candidates and agents of the candidates, but no other person except with the sanction of the presiding officer, may be allowed in the polling station during the opening of the ballot boxes and counting of the ballots.

When only one polling place, ballots to be counted at close of poll.

142. In Electoral Districts where there is only one polling place the Returning Officer shall, after the close of the poll, open the ballot boxes, count the ballots, and forthwith declare to be elected the candidate or candidates to whom the majority of ballots has been given.

Proclamation of persons elected.

143. As soon as the Returning Officer has ascertained the total number of votes, he shall then and there openly proclaim, as being duly elected a member or members to represent such Electoral District in the Legislature, the person or persons having the greatest number of the votes so counted and added up.

If votes equal Returning Officer to have casting vote.

144. In the event of the number of votes being found to have been equal for any two or more candidates, one or more of whom, but not all of such candidates, being, by the state of the poll and the number of members to be elected, entitled to be declared elected, such Returning Officer shall, by a casting vote or votes, as the case may be, and whether he be an elector for such district or division or not, decide which of the candidates for whom the votes may be equal shall be elected.

Returning Officer to certify names of persons elected.

145. As soon as the state of the poll is proclaimed at the close of the proceedings, the Returning Officer shall make out a certificate under his hand and seal, naming the person or persons elected as member or members as aforesaid, which certificate shall be appended to the writ of election, and shall be returned with the writ; but no person shall be named in such certificate who has been publicly required, in manner aforesaid, to make a declaration of his qualification prior to the proclamation of the state of the poll, and has declined, or refused, or omitted so to do.

Form of certificate.

146. The certificate shall be as follows:—

"I do hereby certify that, in obedience to the annexed writ of election to me directed, I have caused an election to take place within the Electoral District, and that the electors of the said district have chosen to represent the said district in the Legislative Assembly.

"Dated this day of , 19 .

"(Signature) *A.B.*,
[L.S.] "Returning Officer, Electoral District."

Returning Officer to furnish candidate with a certificate of his election.

Form.

147. The Returning Officer (if required so to do) shall also give to each candidate so elected a certificate in the following form:—

"I do hereby certify that, in obedience to the writ of election to me directed, I have caused an election to take place within the Electoral District, and that the electors of the said district have chosen you to represent the said district as a member (*or* one of the members) for the said district in the Legislative Assembly.

"Dated this day of , 19 .

"(Signature) *A.B.*,
"Returning Officer."

"To

Sealing of packages and return to Deputy Provincial Secretary after verification.

148. (1.) Upon the completion of the counting, the Returning Officer shall seal up in separate packets the counted and rejected ballots. He shall not open the sealed packet of tendered ballot papers or marked copy of the Register of Voters and counterfoils, but shall proceed, in the presence of the agents of the candidates, to verify the ballot paper account given by each Presiding Officer by comparing it with the number of ballot papers recorded by him as aforesaid, and the unused and spoilt ballot papers in his possession and the tendered voters' lists, and shall re-seal each sealed packet after examination. The Returning Officer shall report to the Deputy Provincial Secretary the result of such verification, and shall, on request, allow any agents of the candidates, before such report is sent, to copy it.

Report to Deputy Provincial Secretary of rejected ballots:

(2.) The Returning Officer shall report to the Deputy Provincial Secretary the number of ballots rejected and not counted by him under the several heads of

(1.) Want of official mark:

(2.) Voting for more candidates than entitled to:

(3.) Writing or mark by which voter could be identified:
(4.) Unmarked or void for uncertainty:
(5.) Being dissimilar to those officially supplied:
(6.) Being marked outside the circular white portion of the ballot paper:
and shall, on request, allow any agents of the candidates, before such report is sent, to copy it.

Report of loss of ballot box.

(1.) He shall also report the loss (if any) of any ballot box, and enclose with the other papers required to be returned by him the certified copy of the written statement received by him under section 129 of this Act.

Ballots and other election documents to be retained by Returning Officer for 10 days after declaration of election.

149. (1.) The Returning Officer shall keep in his possession the Writ of Election, ballots, ballot boxes, and generally all the documents in connection with the election, for the period of ten clear days after having openly proclaimed as being duly elected a member or members to represent such Electoral Districts in the Legislature.

Return to Deputy Provincial Secretary.

(2.) At the expiration of said time, unless the Returning Officer shall have received notice to re-count as provided by section 156, he shall forthwith transmit to the Deputy Provincial Secretary the writ of election with his return thereupon, and all the boxes and papers aforesaid, indorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the Electoral District for which such election was held.

Case of Returning Officer parting with possession of election documents before expiration of delay provided by sub-sec. (1) hereof.

(3.) Should the Returning Officer, through error or inadvertence, or in wilful contravention of the provisions of sub-section (1) hereof, part with the possession of said writ of election, ballots, ballot boxes or other election documents, or any of them, before the expiration of the time mentioned in said sub-section (1), then, notwithstanding anything contained in this Act, the County Court Judge who is to hold a re-count, or any Supreme Court Judge, may order the person in whose possession the said writ of election, ballots, ballot boxes or other election documents may be to appear before the County Court Judge who is to hold the re-count, and to produce the said writ of election, ballots, ballot boxes or other election documents.

Provisions as to elections in Atlin and Skeena Electoral Districts.

(4.) So far as elections held in Atlin and Skeena Electoral Districts are concerned, the provisions of this section and of sections 150 to 157, both inclusive, shall apply with this variation, that wherever in said sections a County Court Judge is mentioned, in the case of elections held in Atlin Electoral District, the Government Agent at Atlin shall be deemed to be referred to, and in the case of elections held in Skeena Electoral District, the Government Agent at Fort Simpson shall be deemed to be referred to.

Re-count of Ballots.

Re-count of ballot by County Court Judge.

150. (1.) In case it is made to appear on the affidavit of a credible witness, to the County Court Judge of any County in which the Electoral District or any part thereof is situated, at any time before the Returning Officer makes his return, that the Returning Officer or a Deputy Returning Officer at an election in the Electoral District has in counting the votes improperly counted or rejected any ballot papers, the County Court Judge may, where the majority for the successful candidate is under fifty votes, appoint a time, within the time hereinafter limited, to re-count the votes, and shall give notice in writing to the candidates or their agents of the time and place at which he will proceed to re-count the same.

Before whom affidavit for re-count may be made.

(2.) The affidavit required in order to obtain a re-count of votes may be made before either a Commissioner for taking affidavits, or a Justice of the Peace, or the Election Clerk.

Time within which application to be made.

(3.) The application for the appointment is to be made within eight clear days after the Returning Officer has, under section 143, declared the candidate having the highest number of votes.

Time appointed for re-count.

(4.) The time appointed for the re-count shall not be more than eight days from the date of appointment.

Notice of re-count

(5.) Notice of the time appointed for the re-count shall be served on Returning Officer and the candidates appearing to be elected, or their agents, not less than four days before such time, or within such other time as the Judge may direct.

Attendance of County Court Clerk.

(6.) The Judge may require any Clerk of the County Court to be present at any re-count of votes.

Who may be present at re-count.

151. The County Court Judge, the Returning Officer and his Election Clerk, and the candidates, and one agent for each candidate, appointed in writing by the candidate to attend, shall be entitled to be present during the proceedings, and if any candidate is not present in person, two agents for such candidate, appointed as aforesaid, shall be entitled to be present; and, except with the sanction of the County Court Judge, no other person shall be present at such re-count of the votes.

Conduct of re-count.

152. At the time and place appointed, the County Court Judge shall proceed to re-count all the votes or ballot papers returned by the several Deputy Returning Officers, and shall, in the presence of the parties aforesaid, if they attend, open the sealed packets containing: (1) The used ballot papers which have not been objected to and which have been counted; (2) The ballot papers which have been objected to but which have been counted; (3) The rejected ballot papers; (4) The spoiled ballot papers, and no other ballot papers or counterfoils; and in re-counting the votes care shall be taken that the mode in which any particular elector has voted shall not be discovered.

The re-count to be a continuous proceeding.

153. The County Court Judge shall, as far as is practicable, proceed continuously with the re-count of the votes, allowing only time for refreshment, excluding only Sundays, and, on other days (except so far as he and the other parties aforesaid agree), the hours between six

o'clock in the evening and nine on the succeeding morning. During the excluded time the County Court Judge shall keep the ballot papers and other documents relating to the election under his own seal and the seals of such other of the parties as desire to affix their seals, and shall otherwise take precautions for the security of such papers and documents.

Procedure on re-count.

154. The County Court Judge shall proceed to recount the votes according to the rules set forth in section 129 of this Act, and shall verify or correct the ballot paper account and statement of the number of votes given for each candidate; and upon the completion of such re-count, or as soon as he has thus ascertained the result of the poll, he shall seal up all the ballot papers in separate packets, and shall certify the result to the Returning Officer, who shall then declare to be elected the candidate having the highest number of votes, and in case of an equality of votes, the Returning Officer shall have the casting vote, as provided in section 144 of this Act.

When certificate as to result of re-count to be sent to Returning Officer.

(2.) The Judge shall delay sending his certificate to the Returning Officer for two days after the completion of the re-count in order to allow of an appeal as hereinafter provided.

Certificate of result of re-count.

(3.) In case no notice of appeal is given to the County Court Judge within two days after the completion of the re-count, the Judge shall certify the result to the Returning Officer forthwith.

Appeal from decision of County Court Judge.

155. (1.) In case either of the candidates desires to appeal from the decision of the County Court Judge on a re-count, he may do so by giving notice in writing to the other candidate and to the Judge of his intention to appeal to the Full Court of the Supreme Court of British Columbia within two days after the completion of such re-count, and he may by the notice limit the appeal to certain specified ballots. The notice shall state the place where the appeal will be heard. The notice may be served upon the candidate personally, or upon the solicitor who acted for him upon the re-count by leaving the notice with such solicitor personally, or at his office.

(2.) Where the appeal is limited, as aforesaid, the County Court Judge shall seal up the ballot papers which are the subject of appeal in a separate packet and shall forward the same, together with the notice and a certificate showing his findings as to the ballots in dispute, by registered letter to the District Registrar of the Supreme Court at the place where the appeal is to be heard, but if the appeal is not limited then the Judge shall forward all the ballots and other papers to the said District Registrar in manner aforesaid, and shall await the result of the appeal before sending his certificate to the Returning Officer, under section 154. The Judge shall, upon request, allow each party to make a copy of the certificate of his findings before the same is forwarded to the District Registrar:

(3.) On receipt of the ballots and notice the District Registrar shall forthwith obtain an appointment from one of the Judges of the Supreme Court for proceeding with the matter, and shall inform the parties or their solicitors of the time so appointed:

(4.) The time appointed for hearing the appeal shall not be more than four days from the date of the appointment:

(5.) At the time appointed the Full Court shall proceed to re-count the ballots or such of them as are the subject of appeal, and shall forthwith certify the decision of the Court to the County Court Judge, and it shall be the duty of such Judge to conform to the said decision, and to certify the result of the re-count without delay to the Returning Officer in accordance therewith:

(6.) The Full Court may direct by and to whom the costs of the appeal shall be paid, and shall order accordingly.

Returning Officer not to make return till receipt of certificate from County Court Judge.

156. The Returning Officer, after the receipt of a notice from the County Court Judge of such re-count of ballots, shall delay making his return to the Deputy Provincial Secretary until he receives a certificate from the County Court Judge of the result of the re-count, and upon receipt of such certificate the Returning Officer shall proceed to make his return as provided in this Act.

Production and custody of ballot papers on a re-count.

157. In case of a re-count of votes or ballot papers under the preceding seven sections of this Act, the Returning Officer shall, on a written notice from the Judge, produce the ballot papers at the time and place appointed for the re-count, and the same shall continue in the custody of the Returning Officer; and he shall continue to be responsible therefor, subject to any directions which the Judge may give in respect of the said ballot papers.

Custody of Documents.

Documents used at elections to be destroyed after one year.

158. (1.) The Deputy Provincial Secretary shall retain for a year all documents relating to an election forwarded to him in pursuance of this Act by a Returning Officer, and then, unless otherwise directed by an order of the Speaker of the Legislative Assembly, or of the Supreme Court of British Columbia, shall cause them to be destroyed:

Inspection of documents.

(2.) All documents forwarded by a Returning Officer, in pursuance of this Act, to the Deputy Provincial Secretary, other than ballots, rejected ballots and counterfoils, shall be open to public inspection at any time during the office hours of the Deputy Provincial Secretary; and the Deputy Provincial Secretary shall supply copies of, or extracts from, the said documents to any person demanding the same, on paying therefor at the rate of ten cents per folio of one hundred words.

Rejected ballots not to be inspected except by order of Speaker or Supreme Court.

159. No person shall be allowed to inspect any rejected ballots in the custody of the Deputy Provincial Secretary, except under the order of the Speaker of the Legislative Assembly, or of the Supreme Court or a Judge thereof, to be granted by such Speaker or the said Supreme Court or a Judge on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of a re-count or of instituting or maintaining a prosecution for an offence in relation to ballot papers or ballots, or for the purpose of a petition questioning an election or return; and any such order for the inspection or production of ballots may be made, subject to such conditions as to persons, time, place and mode of inspection and

production as the Speaker of the Legislative Assembly or Court or Judge making the same may think expedient, and shall be obeyed by the Deputy Provincial Secretary.

Counterfoils and ballot papers may be inspected by like authority

160. No person shall, except by order of the Speaker of the Legislative Assembly, or of the Supreme Court or a Judge thereof, open the sealed packet of counterfoils after the same has been once sealed up, or be allowed to inspect any counted ballots in the custody of the Deputy Provincial Secretary; such order to be granted by such Speaker, or by the said Supreme Court or a Judge, on being satisfied by evidence on oath that such opening or inspection is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers or ballots, or for the purpose of a petition questioning an election or return, and to be made, subject to such conditions as to persons, time, place and mode of opening or inspection, as the Speaker or tribunal making the order may think expedient: Provided, that on making and carrying into effect any such order, care shall be taken that the mode in which any particular elector has voted shall not be discovered until he has been proved to have voted and his vote has been declared by a competent Court to be invalid.

Declaration, &c., to be *primâ facie* evidence.

161. The declarations, affidavits and certificates hereinbefore required shall in all cases be *primâ facie* evidence of the truth of the allegations therein contained.

Production of document to be conclusive evidence.

162. Where an order is made for the production by the Deputy Provincial Secretary of any document in his possession relating to any specified election, the production by such Deputy Provincial Secretary of the document ordered, in such manner as may be directed by such order, or by a rule of the Court having power to make such order, shall be conclusive evidence that such document relates to the specified election, and any indorsement appearing on any packet of ballot papers produced by such Deputy Provincial Secretary, or his agent, shall be evidence of such papers being what they are stated to be by the indorsement. The production from proper custody of a counterfoil having a number marked thereon in writing shall be *primâ facie* evidence that the person who voted by the ballot paper attached to such counterfoil was the elector who at the time of such election had affixed to his name in the Register of Voters at such election the same number as the number written on such counterfoil. And any person who has received from the Returning Officer a ballot paper, as shown by the mark against his name on the Register of Voters, and by the number on the counterfoil, shall be deemed to have voted under this Act.

Validity of Election.

Non-compliance with rules.

163. No election shall be declared invalid by reason of a non-compliance with the rules of procedure contained in this Act, or any mistake in the use of the forms in the Schedule to this Act, if it appears to the tribunal having cognisance of the question that the election was conducted in accordance with the principles of this Act, and that such non-compliance or mistake did not affect the result of the election.

Delay or technical objections not to invalidate proceedings.

164. No election shall be held to be void in consequence of there being no Returning Officer at the time of the issue of the writ of election, or in consequence of any delay in the holding of the election at the time appointed, or in taking the poll, or in the return of the writ, or in consequence of any impediments of a technical or formal nature; and it shall be lawful for the Lieutenant-Governor in Council to cause to be adopted such measures as may be necessary for removing any obstacle or the doing of, or the omission to do, any act of a technical or formal nature, by which, or the want of which, the due course of any election may be impeded: Provided that the measures so taken as aforesaid shall be forthwith declared by the Lieutenant-Governor, by a Proclamation to be for that purpose published in the "British Columbia Gazette."

Unqualified elector having signed nomination paper not to invalidate election.

165. No election shall be declared invalid by reason of any nomination paper having been signed by any unqualified elector: Provided such unqualified elector was, at the time of signing such nomination paper, on the Register of Voters for the Electoral District for which such election was held.

Maintenance of Order.

Liquors not to be sold on polling day.

166. No spirituous or fermented liquors or strong drinks shall be sold, given or provided at any hotel, tavern, shop or other place within the limits of any Electoral District during the whole of the day up to the closing of the poll upon which polling takes place at any election; and everyone who violates the provisions of this section shall be liable, upon summary conviction, for every such offence, to a penalty not exceeding one hundred dollars and costs.

Proceedings in case of riot, violence, &c.

167. Where the proceedings at any election shall be interrupted or obstructed by any riot or open violence, whether such proceedings shall consist of the nomination of candidates or of the taking the poll, the Presiding, Returning or Deputy Returning Officer, or Poll Clerk, shall not for such cause terminate the business of such nomination, or finally close the poll, but shall adjourn the nomination, or the taking the poll at the particular polling place at which such interruption or obstruction shall have happened to the following day; and if necessary shall further adjourn such nomination or poll, as the case may be, until such interruption or obstruction shall have ceased, when the Returning Officer, or Deputy Returning Officer, shall again proceed with the business of the nomination, or with the taking of the poll, as the case may be, at the place at which the same may respectively have been interrupted or obstructed; and the day on which the business of the nomination shall be concluded shall be deemed to have been the day fixed for the nomination, and the commencement of the poll shall, if practicable, be put off for an equal number of days for which any such nomination may have been adjourned; and any day whereto the poll shall have been so put off or adjourned shall, as to such place or places, be reckoned the day of polling at such election, within the meaning of this Act: Provided, that no adjournment shall be made to any day beyond that named as the return day in the writ; and if the election shall not have been completed by that day, the Returning

Officer shall specially return that fact; and where any such poll shall have been adjourned by the Deputy of any Returning Officer, he shall forthwith give notice of such adjournment to the Returning Officer who shall not finally declare the state of the poll, or the name or names of the member or members chosen, until the poll so adjourned as aforesaid shall have been finally closed.

Returning Officer and his Deputies to be conservators of peace during a certain time.

168. From the time when any Deputy Returning Officer has received the writ of election, or Deputy Returning Officer has taken and subscribed the oath of office as such, until the day next after the final closing of such election, such Returning Officer, or Deputy Returning Officer, respectively, shall be a conservator of the peace, and invested, for the maintenance of the peace, for the arrest, detention or admission to bail, trial and conviction of any person or persons who break the law or trouble the peace, with the same powers with which Justices of the Peace are invested in this Province.

They may require the aid of Justices of the Peace, constables, &c., and swear in special constables.

169. For the maintenance of peace and of good order at such election, each Returning Officer, or Deputy Returning Officer, respectively, may require the assistance of all Justices of the Peace, constables and other persons present at the election, whether at the hustings or at any polling place, to aid him in so doing, and may also swear in so many special constables as he deems necessary: Provided, that no special constables so sworn in as aforesaid shall be debarred from voting at such election.

Special constables to be sworn in certain cases.

170. On a requisition in writing made by any candidate, or by his agent or by any two or more electors, any Returning Officer or Deputy Returning Officer shall swear in such special constables.

Deputy Returning Officer to keep order.

171. The Deputy Returning Officer shall keep order at his station, shall regulate the number of electors to be admitted at a time, and shall exclude all other persons except the clerks, the agents of the candidates and the constables on duty.

Who may be present in polling station.

172. During the time appointed for polling, no person shall be entitled or permitted to be present in any polling station other than the officers, candidates, clerks or agents authorised to attend at such polling station, and such voters as are for the time being actually engaged in voting: Provided, that it shall at all times be lawful for the presiding officer to have present, or to summon to his assistance, in such polling station any police constable or peace officer for the purpose of maintaining order, or of preserving the public peace, or preventing any breach thereof, or of removing any person or persons who may, in the opinion of such presiding officer, be obstructing the polling or wilfully violating any of the provisions of this Act.

Returning Officer or his deputy may demand the surrender of all arms.

173. Any Returning Officer or Deputy Returning Officer may, during any part of the days whereon any such election is to be begun, holden or proceeded with, demand and receive from any person whomsoever any offensive weapon, such as firearms, swords, staves, bludgeons, or the like, with which any such person is armed, or which any such person has in his hands or personal possession.

Penalty for refusing to surrender the same.

174. Every such person who, upon such demand, declines or refuses to deliver up to such Returning Officer or Deputy Returning Officer any such offensive weapon as aforesaid, shall be punishable by fine not exceeding fifty dollars, or imprisonment not exceeding six calendar months, or by both, in the discretion of the Court whose duty it is to pass the sentence of the law upon such person upon his conviction.

Certain batteries during election time to be deemed aggravated assaults.

175. Every person convicted of a battery committed during any part of the days whereon any such election is to be begun, holden or proceeded with, or on which any poll for such election is to be begun, holden or proceeded with, within the distance of two miles of the place where such election or poll is to be begun, holden or proceeded with, shall be deemed guilty of an aggravated assault, and shall be punished accordingly.

With certain exceptions, no stranger shall come armed into any district while the poll is open therein.

176. Except the Returning Officer for such election, the Deputy Returning Officers, or constables, or special constables appointed by such Returning Officer or his Deputy, for the orderly conduct of such election or poll, and the preservation of the public peace thereat, no person who hath not had a stated residence in such district for at least three months next before the day of such election shall come, during any part of the day upon which such poll is to remain open, into such district armed with offensive weapons of any kind, as firearms, swords, staves, bludgeons, or the like; nor shall any person whomsoever being in such district arm himself during any part of such day with any such offensive weapons, and thus armed approach within the distance of two miles of the place where the poll for such district or division is held, unless called upon to do so by lawful authority.

Keeping order in polling station.

177. If any person misconducts himself in the polling station, or fails to obey the lawful orders of the presiding officer, he may immediately, by order of the presiding officer, be removed from the polling station by any constable in or near the station, or any other person authorised in writing by the Returning Officer to remove him; and the person so removed shall not, unless with the permission of the presiding officer, again be allowed to enter the polling station during the day.

Custody of person removed from polling station.

178. Any person so removed as aforesaid, if charged with the commission in such station of any offence, may be kept in custody until he can be brought before a Justice of the Peace: Provided that the powers conferred by this and the preceding section shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of voting at such station.

Returning Officer may arrest disturbers or order them to be arrested for a certain time.

179. Each such Returning Officer or Deputy Returning Officer respectively may arrest, or cause to be arrested by verbal order, and may place in the custody of one or more constables or other persons, for such time as in his discretion he deems expedient, any person disturbing the peace and good order, or may cause such person to be imprisoned for any such offence, under an order signed by him, until any period not later than the final closing of the election or of the poll respectively, which order, whether given verbally or in writing, all persons shall obey without delay, under a penalty, upon summary conviction, for any refusal or neglect so to do of twenty-five dollars.

Such detention not to prevent other punishment.

180. No such arrest, detention or imprisonment shall in any manner exempt the person so arrested, detained, confined or imprisoned from any pains or penalty to which he has become liable by reason of anything by him done contrary to the true intent and meaning of this Act or otherwise.

* * * * * * * *

ALBERTA.

His Honour, Edmonton, Alberta, May 5, 1906.

I beg to enclose you herewith a statement showing the costs and machinery of the Provincial Elections in Alberta.

Trusting that the information required will be found therein.

I have, &c.,
S. B. WOODS,
Deputy Attorney-General.

His Honour
G. H. V. Bulyea,
Lieutenant-Governor of Alberta,
Edmonton.

Province of Alberta.

Cost and Machinery of Provincial Elections.

The cost of contested election is borne out of local funds, and in this Province averages one thousand dollars ($1,000.00) for each electoral district; that sum being divided between the following election officials, services, &c.:—Returning Officers, Election Clerks, Deputy Returning Officers, Poll Clerks, Interpreters, Rent of Places for Nomination, for Polling, for Court Revision, Count by Returning Officers, Advertising, and Mileage of Election Officials, &c.

Witnesses at Court of Revision are paid by party desiring attendance of such witnesses.

The recount by Judge is also paid by party asking for same.

The machinery of an election in Alberta begins with the issuing of the writs of election by the Lieutenant-Governor, through the Clerk of the Executive Council, appointing the Returning Officer giving the date of nomination and of polling. On receipt of the writ the Returning Officer, after having taken Oath of Office, appoints an Election Clerk to assist him and to replace him, in case of necessity, in the performance of the duties devolved upon him, the dividing up of the districts into polling divisions, securing buildings for polling places, appointing Deputy Returning Officers, supplying them with election materials, holding nomination, &c.

The Deputy Returning Officer appoints a Poll Clerk to assist him in holding poll, keeping a record in the Poll Book of all the voters, their name, occupation, address, &c.

At the close of the poll the Deputy Returning Officer, after having counted the ballots for each candidate, makes a statement showing the total number of ballots cast, the number of unobjected ballots for each candidate, the number of spoiled ballots, the number of disputed and objected ballots, the names and numbers as per Poll Books of the voters whose votes are disputed, the name of Poll Clerk, and also the names of agents and scrutineers of each candidate. He then forwards that statement and all election material to the Returning Officer.

On the day set by him on polling day, the Deputy Returning Officer tends to Court of Revision, after which, he sends to the Returning Officer a statement of the business transacted during Court of Revision.

The Returning Officer, on the day announced by him on nomination day, proceeds to the counting of the votes, after which he sends a declaration of the result of polling to the Clerk of the Executive Council and to each candidate or their agent. He then notifies the Clerk of the Court of the Appeals entered against the decision of the Court of Revision or of himself, and turns over to the Sheriff all election materials and all monies received by him as securities for the costs, in

the prosecution of any appeals against the Court of Revision or himself. He will then return to the candidates defeated their deposits, providing they have received at least half of the number of the votes obtained by the candidate elected, and send in to the Clerk of the Executive Council the deposit of the candidate or candidates not having received that number of votes.

The next proceedings are the hearing of the appeals, the count of votes, and sometimes the recount of same by the Judge. The Judge, after these proceedings, declares elected the candidate having the majority of the ballots allowed, certifies in writing to the Clerk of the Executive Council the name of the candidate declared elected by him, and such declaration is final and conclusive to all intents and purposes, subject to the Controverted Election Ordinance.

The Sheriff, after all proceedings are ended, sends to the Clerk of the Executive Council all election materials and his certificate that all election proceedings are concluded.

The Clerk of the Executive Council, on receiving such certificate, gives notice in the "Official Gazette" of the Province of the name of the candidate elected and gives the same notice to the Legislative Assembly.

Controverted Election.—At any time within one month after the publication of such certificate in the "Official Gazette," any defeated candidate or any duly qualified elector of the electoral district in which the election was held may petition against the undue return or undue election of any candidate at such election.

The proceedings in this case are those regulated by the Judicature Ordinance and subject to the order of the Court or the Judge, but the cost of proceedings in controverted election is not borne out of local nor Imperial funds.

MANITOBA.

SIR, Government House, Winnipeg.

I HAVE the honour to acknowledge the receipt of the despatch from the Colonial Office, dated March 31st, respecting the machinery and cost of elections, and a request from the Acting Under Secretary of State for Canada asking information relating to the expenses of the elections in Manitoba.

In reply, I beg to inform you that there are 40 constituencies in the Province of Manitoba, with a total of 72,497 names on the list of electors. The expenses for the general elections in 1903 were $18,685.77. The expenses of preparation and revision of the lists varies very materially. The expenses for the years 1903, 1904, and 1905 were as follows:—

	$
1903	34,444.15
1904	10,701.61
1905	5,978.37

In the preparation of the lists, Registration Clerks are paid $4 a day, and are allowed rent of quarters and travelling expenses. The revising Judges are paid $10 a day for attendance at the Court of Revision. The printing of the lists of electors costs 11 cents per name for 300 copies. The lists, however, are only printed when required for an election. It was the printing of the list in 1903 that made the amount of that year so much heavier than for other years.

I have, &c.,
JAS. HOOPER,
Deputy Provincial Secretary.

Gordon M. Thomson, Esq.,
Private Secretary,
Government House.

CHAPTER 52, R.S.M., 1902.

AN ACT respecting Elections of Members of the Legislative Assembly, including the Amendments of 1903 and 1904.

His Majesty, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:—

SHORT TITLE.

Short title.

1. This Act may be cited as "The Manitoba Election Act."

INTERPRETATION OF EXPRESSIONS.

Interpretation.

2. In this Act and in the schedule thereto, unless the context otherwise requires,—

"Province."

(*a.*) The expression "Province" means the Province of Manitoba;

"Lieutenant Governor."

(*b.*) The expression "Lieutenant-Governor" means Lieutenant-Governor in Council;

"Executive Council."

(*c.*) The expression "Executive Council" means the Executive Council of the Province;

"Legislative Assembly."

(*d.*) The expression "Legislative Assembly" means the Legislative Assembly of Manitoba;

"Electoral division."

(*e.*) The expression "electoral division" means the place or portion of territory in Manitoba entitled to return a member to the Legislative Assembly of this Province;

"Election."

(*f.*) The expression "election" means an election of a member to serve in the Legislative Assembly;

"Election officers."

(*g.*) The expression "election officers" means and includes the returning officer, the election officer, and any deputy returning officers and poll clerks appointed for an election;

"Writ."

(*h.*) The expression "writ" means the document issued by the Lieutenant-Governor commanding or requiring the holding of an election or elections under the provisions of this Act;

"Elector."

(*i.*) The expression "elector" means a person registered on any list of electors for the election of members of the Legislative Assembly of this Province, under the provisions of this Act;

"List of electors."

(*j.*) The expression "list of electors" means the list of electors last revised under this Act for each electoral division;

"Poll."

(*k.*) The expression "poll" means the place where the votes are recorded at an election;

"Polling division."

(*l.*) The expression "polling division" means the territorial division where and for which a poll is held;

"Voter."

(*m.*) The expression "voter" means an elector voting or who has voted at an election;

"Polling day."

(*n.*) The expression "polling day" means the day fixed for voting at an election;

"Voting" or "to vote."

(*o.*) The expression "voting" or "to vote" means voting or to vote at the election of a member to serve in the Legislative Assembly of Manitoba;

"Poll book."

(*p.*) The expression "poll book" means the book containing the names of persons who have voted or applied for ballots at an election of a member of the Legislative Assembly;

"Hour."

(*q.*) The expression "hour" means the twenty-fourth part of a natural day;

"Day."

(*r.*) The expression "day" means a space of twenty-four hours between twelve o'clock at night and twelve o'clock of the night following;

"Holiday."

(*s.*) The expression "holiday" means any day mentioned as such in "The Manitoba Interpretation Act" or any amendments thereto;

"Registration clerk."

(*t.*) The expression "registration clerk" means any person appointed for the place referred to in the context, and empowered to perform the duty required;

"Revising officer."

(*u.*) The expression "revising officer" means one of the persons appointed to revise the list of electors;

"Justice of the peace."

(*v.*) The expression "justice of the peace" means a justice of the peace for the Province of Manitoba;

"Candidate."

(*w.*) The expression "candidate" means a person who has, either privately or publicly, made known his intention or desire to be nominated at an election, with a view of being elected as a member of the Legislative Assembly of this Province, and who afterwards is nominated;

"County Court Judge."

(*x.*) The expression "County Court Judge" means the County Court Judge having jurisdiction within the electoral division for or in respect of which the voters' list is made;

"The Manitoba Act."

(*y.*) The expression "The Manitoba Act" means the Act of the Parliament of Canada passed in the thirty-third year of the reign of Her late Majesty Queen Victoria, chaptered three;

"Corrupt practices" or "corrupt practice."

(*z.*) The expression "corrupt practices" or "corrupt practice" means and includes bribery, treating and undue influence, or any of such offences, as defined by this Act or any other Act of the Legislature, or recognized by the common law of the Parliament of Great Britain and Ireland;

"The Board."

(*aa.*) The expression "the board" means the board of registration constituted for the purposes set forth in this Act;

"O'clock."

(*bb.*) The expression "o'clock" means the hour of day as marked by the clock, according to the time used by the Canadian Pacific Railway Company and known as central time, being the time of the ninetieth meridian of west longitude.

Declaratory Provisions.

3. Where there are more County Court Judges than one in the electoral division, or where an electoral division is so divided that more than one County Court Judge has jurisdiction therein, any one of them shall be competent for the respective duties assigned by this Act to a County Court Judge, or they may agree from time to time, or from day to day, to divide the duties between them as they may deem convenient. Where more than one County Court Judge.

4. The County Court Judges, to constitute and comprise "The Board of Registration" for the purposes of this Act as hereinafter provided, shall have power, if deemed necessary or expedient, to frame rules and forms of procedure for the purpose of better carrying this Act into effect, and such rule and forms shall have the same force and effect as if they formed part of this Act. Rules and forms of procedure to be framed by County Court Judges.

5. In carrying into effect the provisions of this Act the forms set forth in the schedule hereto may be used; and the same, or forms to the like effect, shall be deemed sufficient for the purposes mentioned in the said schedule. Use of forms.

6. Any form or forms mentioned in the various sections of this Act refer to the corresponding form or forms contained in the schedule to this Act. Reference to forms.

7. No election shall be declared invalid by reason of any irregularity in any of the proceedings preliminary to the polling or by reason of a failure to hold a poll at any place appointed for that purpose or by reason of non-compliance with the directions contained in this Act as to the taking of the poll or the counting of the votes, or by reason of any mistake in the use of any of the forms, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in this Act, and that such failure, non-compliance or mistake did not affect the result of the election. Informalities not to invalidate election.

8. Any reference in this Act to one or more sections, without mention of the chapter or statute of which such sections form part, is a reference to a section or sections of this Act. Reference.

9. Sunday and any day set apart by an Act of lawful authority for a public holiday shall be included in reckoning any period of time under this Act, but when anything is required by any section of this Act to be done on a day or date which falls on any of those days, or where the last day for doing anything or for taking any proceeding under this Act falls on any of such days, such thing may be done on the next judicial day. Sundays and holidays. Reckoning of time.

10. Every person before whom it is required that an oath be taken or an affirmation made in the manner herein provided shall administer such oath or affirmation gratuitously. Oaths and affirmations.

11. Every returning officer shall have power to administer any of the oaths or affirmations or take any of the declarations required with respect to an election; and any deputy returning officer or election clerk may administer such oaths or affirmations or take such declarations, except in cases where they are required to be administered to or taken by the returning officer. Who may administer.

12. When in this Act expressions are used requiring or authorizing any act or thing to be done, inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as may have been authorized to attend, and as have in fact attended at the time and place when such act or thing is to be done; and the non-attendance of any agent or agents at such time and place shall not, if the act or thing be otherwise duly done, invalidate in anywise the act or thing done. Attendance of agents of candidates.

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ELECTIONS.

Time of Holding.

88. The day to be fixed for holding a general or a particular election shall not be more than forty days or less than sixteen days from the date of the writ of such election. General election and bye-election.

Writs For.

89. Every writ of election shall mention the day so fixed for the nomination of the candidates at the election for which such writ shall have been issued. Writ to state date.

90. Every writ of election shall bear date and be returnable on such days as shall have been fixed by the Lieutenant-Governor in Council. Date and return of writs.

91. For a general election all writs of election shall issue on the same day and shall bear the same date of issue. Writs for a general election all to bear the same date.

92. In the event of the destruction or loss of any writ of election before the same has been received by the returning officer, or in the event of the latter dying before receiving such writ, or in the event of any other occurrence rendering it impossible to hold the election on the day mentioned in the writ, a new writ may be issued, in which the day of the nomination and that of the return may be changed as circumstances require. Writs destroyed or lost to be replaced by issue of new writs.

93. Every writ of election shall be addressed by the Clerk of the Executive Council to the returning officer appointed under the provisions of this Act. Address of writ.

94. Writs of election shall be drawn up in accordance with Form No. 19 of this Act, and they shall be forwarded to the different returning officers by mail or otherwise, as the Lieutenant-Governor in Council may order. Form of writ

95. A notice of the issue of the writ, specifying the name of the returning officer, shall be at the same time published in "*The Manitoba Gazette.*" Notice in *Gazette.*

Clerk of Executive Council to transmit lists, &c.

96. When transmitting the writ to the returning officer, or as soon thereafter as possible, the Clerk of the Executive Council shall transmit to that officer a sufficient number of copies of the list of electors (to be obtained by him from the King's Printer), certified by such clerk, together with a sufficient number of copies of this Act and of instructions approved by the Lieutenant-Governor in Council which may be necessary for the due conduct of elections under this Act, with a detailed alphabetical index placed in the beginning thereof, for the use and information of returning officers and deputy returning officers, and also all other forms and supplies required by such returning officer.

Appointment of Returning Officers.

Returning officer.

97. Whenever an election is to be held in any electoral division, the Lieutenant-Governor in Council, when authorizing the issuing of the writ for such election, shall appoint a competent person to perform the duties of returning officer.

Proceedings on the Receipt of the Writ of Election.

Date of receipt to be endorsed on writ.

98. The returning officer, on receipt of the writ of election, shall, without delay, indorse upon such writ the date of the reception thereof.

Oath of returning officer.

99. The returning officer, before acting in any further manner, shall take and subscribe before a justice of the peace or commissioner for taking affidavits the oath specified in Form No. 20, and the justice of the peace or commissioner for taking affidavits shall deliver to him a certificate of the taking of such oath according to Form No. 21.

Election clerk.

100. The returning officer shall appoint without delay, by commission under his hand, according to Form No. 22, a competent person as his election clerk to assist him in the execution of his duties as returning officer.

Oath of election clerk.

101. Before acting as such, the election clerk shall take the oath prescribed in Form No. 23, either before the returning officer or before a justice of the peace, who shall give him a certificate according to Form No. 24.

Provisions for appointment of new clerk.

102. If the election clerk dies or is prevented from performing his duties through sickness, absence or other cause, or if he refuses to accept such office or neglects to perform the duties of the same, the returning officer may, in the same manner, appoint another competent person to be his election clerk, and the new election clerk shall be bound to perform all the obligations of such office under the same penalties as the former in case of refusal or neglect.

Clerk to replace returning officer in certain cases.

103. Whenever the returning officer is incompetent, becomes unable to perform the duties of his office or refuses to discharge the same, and has not been replaced by another person, the election clerk shall be the returning officer for the election, as if he had been duly appointed to that office, and shall perform all the obligations thereof, under the same penalties as those prescribed in relation to the returning officer, without being bound to take any further oath.

Establishing Polls.

Polls.

104. The returning officer, upon the receipt of the writ of election, shall forthwith thereafter fix a polling place or polling places in and for each of the polling divisions provided by the list of electors.

Sub-division of list of electors.

(*a.*) In case there are more than two hundred and fifty names on the list of electors for any polling division the returning officer shall appoint two deputies to receive the votes at such polling place, one for the letters from A to L inclusive, and the other for the letters from M to Z inclusive.

Poll building.

105. The building in which a poll is held shall not be a place where intoxicating liquors are sold or a place of public entertainment; and there shall be free access to the poll for every elector.

Distance between polls.

106. The polling places shall be established in central and convenient localities within the electoral division, in such manner as shall afford the greatest possible facility to electors to poll their votes with despatch, and shall in all cases be upon the ground floor of a building.

Proclamation of Nomination Day.

Contents of proclamation of returning officer.

107. The returning officer, within the eight days next after the receipt of the writ of election, shall, by a proclamation under his hand (Form No. 25), set forth:—

(*a.*) The place, day and hour at which the nomination of candidates shall take place;

(*b.*) The day upon which the polls shall be opened, if polls are required;

(*c.*) The several polls fixed by him, and the territorial limits to which they respectively apply; and

(*d.*) The time when and the place where the returning officer will sum up the number of votes given to the several candidates.

Place of nomination.

108. The locality specified for the nomination of candidates shall be at the court house, the city hall, the registry office or any other public or private building in the most central and convenient location for the majority of the electors within the electoral division.

Hour.

109. The hour fixed for the nomination of candidates shall be between noon and one o'clock in the afternoon.

Posting proclamation.

110. The returning officer shall cause the proclamation to be posted up at least eight days before the nomination of the candidates, the day of the posting and that of the nomination not being included in such interval, in at least two of the most public and conspicuous places in each of the polling divisions.

Fixing new nomination day in certain cases.

111. If, owing to unforeseen delays, accidents or other cause, the proclamation cannot be posted up so as to allow the period required between the day of posting and that of the nomination, or if any one of the persons brought forward as a candidate dies before the close of the poll, the returning officer may fix another day for the nomination of candidates. Such day shall be the earliest possible after the expiration of the delay required between the day of posting and that of the nomination. In all other respects such election shall be conducted as in ordinary cases. The returning officer in his return of the election shall transmit to the clerk of the Executive Council a special return of the reasons which so occasioned the postponement of the election.

Nominations of Candidates.

At general election all nominations on same day.

112. Whenever a new Legislative Assembly is summoned and a general election is for that purpose to be held, the nomination of the candidates at the different elections in all the electoral divisions of the Province shall take place and be held upon one and the same day; and

Fixed by Lieutenant Governor.

(*a.*) Such day shall be fixed by the Lieutenant-Governor in the proclamation ordering the general election.

In case of bye-election.

113. In the case of a particular election to fill a vacancy, the day of the nomination of the candidates at such election shall be fixed by the Lieutenant-Governor in Council.

Nomination not to be on holiday.

114. The nomination of candidates shall not take place on a holiday.

Nomination paper.

115. Each candidate shall be nominated or brought forward as a candidate by means of a nomination paper, made in accordance with the rules hereinafter specified and with Form No. 26.

Signed by twenty-five electors.

116. Each nomination paper shall, within a month prior to and including the day of nomination, be signed by at least twenty-five electors registered on the list and duly qualified to vote for the electoral division for which the election is being held, and shall give the christian name, surname, residence and profession or calling of the candidate, in such manner as sufficiently to establish his identity; and the mark affixed upon the nomination paper by an elector unable to write shall be deemed to be the signature required according to the meaning of this Act.

Signature of marksman.

Consent of candidate.

117. Each nomination paper shall be accompanied by the consent in writing of the person nominated, unless such person be absent from the Province. In the latter case the nomination paper shall set forth his absence.

Filing nomination paper.

118. The nomination papers shall be filed with the returning officer at the hour and place indicated in the proclamation by any one of the subscribing electors or by the person nominated or by any one on behalf of either of them.

May be filed prior to day of nomination.

119. The nomination papers may also be filed with the returning officer at any place and at any time between the date of the proclamation and the time fixed for the nomination, with the same effect as if produced at the time and place set forth in the last preceding section.

Deposit of $200.

120. A sum of two hundred dollars in legal tender, or in the bills of any solvent bank chartered under the laws of Canada, shall be paid into the hands of the returning officer by or on behalf of each candidate on the delivery of the nomination papers to that officer.

Transmission of deposit.

121. The deposit made into the hands of the returning officer, in accordance with the last preceding section, shall by that officer, be transmitted with the writ, when returned to the Clerk of the Executive Council, who, after the publication in "*The Manitoba Gazette*" of the notice of election given by the officer, shall return the same to the candidate who deposited it with the returning officer, in the event of his being elected or of his obtaining a number of votes at least equal to one-half of the number of votes polled in favour of the candidate elected.

To be returned to candidate in certain cases.

To be paid Provincial Treasurer if candidate not entitled.

122. In case any candidate is not entitled to receive his deposit back, the Clerk of the Executive Council shall forthwith pay the same to the Provincial Treasurer, and the same shall be included in and form part of the Consolidated Revenue Fund.

Receipts, evidence of filing, &c.

123. The receipt (which the returning officer shall give on demand) shall be sufficient evidence that the nomination paper and the written consent of the candidate have been produced, and that the required sum has been paid.

Affidavit as to signature.

124. (*a.*) Every nomination paper shall also be accompanied by one or more affidavits (Form No. 27), sworn before the returning officer or a justice of the peace and setting forth:—

(i.) That the deponent knows that the subscribers to the nomination, or at least twenty-five of the number thereon, are electors duly registered upon the list of electors in force in the electoral division, and that they have signed the nomination paper in his presence; and

(ii.) That the consent of the candidate was subscribed in the presence of the deponent, or that the person nominated is absent from the Province.

(*b.*) The above facts may, if necessary, be sworn in separate affidavits.

Validity of papers.

125. No nomination paper shall be valid or carried into effect by the returning officer, unless it be made and delivered in conformity with the formalities prescribed by this Act.

Indorsement on nomination paper.

126. The returning officer shall indorse on the nomination paper the fact of the production of an affidavit given under the one hundred and twenty-fourth section of this Act.

Returns by acclamation.

127. If, at the expiration of the time fixed for the nomination, one person only be nominated, the returning officer shall forthwith report to the Clerk of the Executive Council that such candidate has been elected (Form No. 28).

Duplicate for candidate.

128. The returning officer shall also transmit to the person elected, within the forty-eight hours following, a duplicate or certified copy of his return, as aforesaid.

Report to Clerk of Executive Council.

129. The returning officer shall accompany his return to the Clerk of the Executive Council with a report of his proceeding, in which he shall mention any nomination rejected by him for non-compliance with the requirements of this Act.

Adjournment for poll.

130. If, on the expiration of the time fixed for nominations, there be more candidates than one nominated, it shall then be the duty of the returning officer to adjourn the election for the opening of the poll.

List of nominations.

131. After the time fixed for the nomination has elapsed, the returning officer shall deliver gratis unto every candidate, or the agent of every candidate, on demand to that effect, a certified list of the names of the persons nominated.

Votes to be only for persons nominated.

132. All votes given at the election for persons other than those so declared nominated shall be null and void.

Death or Withdrawal of Candidates.

Candidates withdrawing.

133. Any nominated candidate may, at any time before the closing of the poll, withdraw, by filing with the returning officer a declaration in writing to that effect signed by himself. Such declaration, to be valid, shall be accompanied by an affidavit of one or more persons sworn before the returning officer or a justice of the peace, establishing that the candidate had, after reading such declaration, signed the same in his or their presence. All votes given in favour of a candidate who shall have thus retired shall be null and void.

Withdrawal elects remaining candidate if only one.

134. If, owing to such withdrawal, one candidate only remains, it shall be the duty of the returning officer to declare him elected without waiting for the day fixed for holding the poll, or for the closing of the poll if such withdrawal be filed on the polling day.

In case of death of candidate new days to be fixed for nomination and election.

135. In case any candidate dies after being nominated and before the close of the poll, the returning officer may fix new days for the nomination of candidates and for polling, and in such case the nomination day shall be the nearest day possible, not being a Sunday or statutory holiday, after allowing the number of days required by law between the posting up of the proclamation and the nomination day; and in every such case the returning officer shall, with his return, make to the Clerk of the Executive Council a report of the cause which occasioned the postponement of the election.

Notice of Candidates Nominated.

Notice of polling to be posted.

136. When a poll is necessary, the returning officer shall cause notices to be posted up (Form No. 29), announcing the fact of a poll being about to be held in the electoral division, and specifying the names, residences and occupations of the persons nominated; and such notices shall be posted up, as soon as possible after the nomination of the candidates, at each place where the proclamation announcing the election has been posted up.

Deputy Returning Officers.

Deputy returning officers.

137. If there be more than one poll for an electoral division, it shall be the duty of the returning officer, by warrant under his hand (Form No. 30), to appoint a competent person to act as deputy returning officer at each polling place established by him.

New deputy returning officers to be appointed in certain cases.

138. If a deputy returning officer die or be prevented from discharging the duties of his office by sickness, absence or other cause, or if he refuses to accept such office or neglects to discharge the duties thereof, the returning officer shall appoint another competent person to act as deputy returning officer; the new deputy returning officer shall be bound to discharge all the duties of such office under the same penalties as the first in case of refusal or neglect.

Oath of deputy returning officer.

139. Each deputy returning officer, before acting as such, shall take and subscribe an oath before the returning officer, or before a justice of the peace or a commissioner for taking affidavits (Form No. 31), and a certificate of the taking of such oath shall be delivered to him (Form No. 32) by and under the hand of the person administering the same.

List of electors to be furnished to each deputy.

140. It shall be the duty of the returning officer to furnish each deputy returning officer with the list of electors for, or such copy of or extract from the list of electors for, the electoral division as contains the names of electors registered for the polling division for which he is appointed. Each copy of or extract from the list shall be certified by the Clerk of the Executive Council.

Replacing lost list.

141. If the list, extract or copy in the possession of any deputy returning officer has been lost or destroyed, it shall be the duty of the returning officer forthwith to see that another certified list or extract or copy is supplied to such deputy returning officer.

Poll Clerks.

Poll clerks.

142. Each deputy returning officer shall forthwith, by a commission under his hand (Form No. 33), appoint a competent person as poll clerk to assist him in the execution of his duties.

New poll clerks in certain cases.

143. If the poll clerk die or be prevented from executing his office by illness, absence or other cause, or if he refuse to accept such office or neglect to discharge the duties thereof, the deputy returning officer shall appoint another person competent to act as poll clerk. The newly appointed poll clerk shall be bound to discharge all the duties of such office under the same penalties as the first in case of refusal or neglect.

Oath of poll clerk.

144. Every poll clerk, before acting as such, shall take and subscribe an oath (Form No. 34) either before the returning officer or the deputy returning officer who appointed him, or before any justice of the peace or commissioner for taking affidavits.

Certificate of oath.

145. A certificate (Form No. 35) of the taking of such oath shall be delivered by the person administering the same, under his hand, to the poll clerk.

Duty of poll clerk.

146. The poll clerk, at the poll for which he shall have been appointed, shall be bound to aid and assist in the execution of his duties the deputy returning officer appointed to keep the poll at such place, and to obey the order of such deputy returning officer; and it shall be his duty, under the instructions of the deputy returning officer, to keep the poll book and to register each voter's name under a consecutive number, with other details.

Poll clerk to act as deputy returning officer in certain cases.

147. In the event of the deputy returning officer refusing or neglecting to discharge the duties of his office or becoming unable to do so, and no other deputy returning officer appointed instead of the former presenting himself at the poll, the poll clerk shall under the same penalties as those imposed on a deputy returning officer, act as deputy returning officer and fulfil all the duties and obligations of the deputy returning officer in the same manner as if he had been appointed deputy returning officer, without being obliged for such purpose to take any new oath.

Appointment of new poll clerk.

148. Whenever any poll clerk shall act in the case provided for in the last preceding section, he shall have power to appoint by commission under his hand another person as poll clerk to aid and assist him, and to administer to such person the oath required of a poll clerk under this Act. Such poll clerk shall have the same duties to discharge as if he had been appointed by the deputy returning officer, and shall incur the same penalties in the event of refusal or neglect.

Ballot Papers.

Ballots, preparation of.

149. Immediately after nomination, if required, the returning officer shall forthwith cause to be printed, upon the paper furnished to him as hereinafter provided, such a number of ballot papers as will be sufficient for the purpose of the election; and the number necessary for each polling division shall be bound or stitched in a book of convenient size, and in such manner that the counterfoils shall continue bound or stitched when the ballot papers are detached therefrom.

Names on ballots.

150. Every ballot paper shall contain the names of the candidates, arranged alphabetically in the order of their surnames, or, if there be two or more candidates with the same surname, of their other names, and shall be according to Form No. 36.

Numbers and names of candidates in different colors.

151. The numbers and names of the respective candidates shall, if practicable, be distinctly printed in ink of different colours, if on the nomination day the candidates agree as to colours; and the returning officer shall give to each candidate a certificate setting forth the selection of the colour made by him.

Paper for ballots.

152. The paper for ballots shall be of such quality that the marks made by the voters thereon will not show through, and shall be furnished to the returning officer by the Clerk of the Executive Council.

Counterfoils.

153. Every ballot paper shall have a counterfoil attached thereto, and every ballot paper and counterfoil shall specify the name of the electoral division for which it is to be used.

Ballots, &c., for each poll.

154. The returning officer shall, before the opening of the poll, deliver or cause to be delivered to every deputy returning officer the books containing the ballot papers, with their respective counterfoils attached, which have been prepared for use in the polling division for which such deputy returning officer is appointed to act; and shall also furnish to the deputy returning officer, or see that he is furnished with, the necessary materials for voters to mark the ballot papers, and such materials shall be kept at the polling place by the deputy returning officer for the convenient use of voters.

Ballot Boxes.

Clerk of Executive Council to transmit ballot boxes.

155. It shall be the duty of the Clerk of the Executive Council to transmit to the returning officer a sufficient number of ballot boxes required for the purposes of the election.

Distribution of ballot boxes.

156. It shall be the duty of the returning officer, two days at least before the polling day, to deliver one of the ballot boxes to every deputy returning officer appointed for the purposes of the election.

Deputy returning officer may procure ballot boxes.

157. It shall be the duty of the deputy returning officer, in every polling division not supplied with a ballot box within the time prescribed, forthwith to procure one to be made.

To be of durable material, &c.

158. The ballot boxes shall be made of some durable material, shall be provided with a lock and key and shall be so constructed that the ballot paper can be conveniently introduced therein, and cannot be withdrawn therefrom unless the box is unlocked, and sufficiently large to contain all the ballot papers liable to be placed therein without their being forced into the same.

Directions to Voters.

Printed directions.

159. The Clerk of the Executive Council shall transmit to the returning officer printed directions in conspicuous characters for the guidance of electors in voting (Form No. 37).

To be delivered to deputy returning officer.

160. The returning officer shall, before the opening of the poll, deliver, or cause to be delivered, to every deputy returning officer such a number of the printed directions for the guidance of voters in voting aforesaid as he may deem sufficient.

Posting directions.

161. Every deputy returning officer shall, immediately after he has received such printed directions from the returning officer, cause such printed directions to be placarded outside the polling place for which he is appointed to act, and also in every compartment of the polling place, and shall see that they remain so placarded until the close of the polling.

Agents of Candidates at Poll.

Agents of candidate at polls.

162. Any person producing to the returning or deputy returning officer at any time a written authority from a candidate to represent him at the poll, or at any proceeding of the election, shall be deemed the representative of such candidate; and no more than one representative shall be allowed for each candidate; but a candidate may himself undertake the duties which any representative of his, if appointed, might have undertaken, or may assist his representative in the performance of such duties; and he may be present at any place wherein the presence of his representative is authorized by this or any other Act:

Provided, however, that the non-attendance of any representative shall not, if the act or thing be otherwise duly done, invalidate the same.

Provisions Respecting Election Officers, &c.

Who may not be election officers.

163. The following persons shall not be appointed returning officers, election clerks, deputy returning officers or poll clerks:—

(*a.*) Ministers, priests or ecclesiastics of any religion or religious denomination whatsoever;

(*b.*) Judges of the Court of King's Bench or of the County Courts or police magistrates;

(*c.*) Persons who have been found guilty by any Court for the trial of controverted elections, or other competent tribunal, of any offence or dereliction of duty under this Act or any Act for which this Act is substituted.

Penalty for acting as such.

164. No person who has been, by the last preceding section, declared to be ineligible to act as returning officer, election clerk, deputy returning officer or poll clerk shall in any case act in any such capacity, under a penalty of one hundred dollars and, in default of payment, imprisonment for a period not exceeding six months.

Election officers may administer oaths.

165. The returning officer, the election clerk and every deputy returning officer and poll clerk, at any election, shall have the power of administering all the oaths or affirmations required by this Act, with respect to such election.

Manner of giving public notice.

166. When the returning officer or his deputy is by this Act required or authorized to give any public notice, and no special mode of giving the same is mentioned, he may give the same by advertisement, placards, hand-bills, circulars or such other means as he may think best calculated to give information to the electors.

No returning officer or clerk or partner to act as agent of a candidate.

167. No returning officer, or partner or clerk of a returning officer, shall act as agent for any candidate in the organization or management of his election for such electoral division, under penalty of two hundred dollars and, in default of payment, imprisonment for a period not exceeding twelve months.

Penalty for returning officer not declaring election of person held to be entitled on hearing of election petition.

Limitation of time for proceedings.

168. Any returning officer who wilfully delays, neglects or refuses to declare elected any person entitled to be declared elected a member of the Legislative Assembly for an electoral division, in case it has been determined on the hearing of an election petition under "The Manitoba Controverted Elections Act" respecting the election for such electoral division that such person was entitled to have been returned, shall be subject to a penalty in favour of such person of five hundred dollars, together with all damages sustained by reason thereof; the proceedings, however, for the recovery of such damages must be commenced within one year after the commission of the act on which it is grounded, or within six months after the conclusion of the proceedings relating to the contestation of the election, in default whereof such proceedings shall be barred.

Voting.

Polling day.

169. The voting, in all the electoral divisions, shall take place on the seventh day next after that of the nomination of the candidates, that is, the same or corresponding day of the week next after that in which the nomination has taken place.

Proviso.

170. If such seventh day be a holiday, the voting shall take place on the first following day not a holiday.

Voters, who may be.

171. Every person whose name appears as an elector on the list made as by this Act provided, or in force at the time of any election to which this Act applies, shall be entitled to vote at such election, provided that at the time of such election such person is not disqualified under the provisions of the next following section.

Persons who cannot vote.

172. The following persons, though their names may appear on the list of electors in force at the time of any election to which this Act applies, shall be disqualified and incompetent to vote at such election:—

Females. (*a.*) Persons who are not of the male sex;

Minors. (*b.*) Persons who are not of the full age of twenty-one years;

Aliens. (*c.*) Persons who are not subjects of His Majesty by birth or naturalization;

Judges. (*d.*) The Judges of the Court of King's Bench and of the County Courts;

Indians. (*e.*) Indians or persons of Indian blood receiving an annuity or treaty money from the Crown;

Disqualified persons. (*f.*) Persons disqualified from voting under the provisions of this Act or any former Act of this Province relating to corrupt practices at Legislative elections;

Returning officer. (*g.*) Except as hereinafter provided, the returning officer or the person acting in his stead under the provisions of this Act;

Paid agents. (*h.*) The agent of any of the candidates, if such agent has received or been promised any pay or indemnity for his services;

Persons refusing to take oaths. (*i.*) Any person refusing to take or affirm to the oath or affirmation provided in the one hundred and seventy-ninth section of this Act, when required so to do.

Polling places.

173. The voting shall take place in a room or building of convenient access, with a door for the admittance of the electors, and having, if possible, another door through which they may withdraw after having voted.

Voting compartments.

174. A separate room or private compartment shall be reserved for voters when marking their ballots, and shall be so arranged that the voter can retire therein from observation when marking his ballot.

Hours of voting. Receiving votes.

175. Each deputy returning officer shall open the poll assigned to him at the hour of nine of the clock in the morning and keep the same open continuously until five of the clock in the afternoon; and he shall during that time receive in the manner hereinafter prescribed the votes of the electors duly qualified to vote at such poll, and applying to vote thereat.

Admission to polling places. Electors may act as agent.

176. In addition to the deputy returning officer and the poll clerk, no person other than the candidates and their agents, not exceeding one in number for each candidate, shall be permitted to remain in the room where the votes are received during the whole time the poll remains open; and, in the absence of agents of any candidate, one elector may on application to such effect to the deputy returning officer represent such candidate.

Admission of voters.

177. It shall be the duty of the deputy returning officer to facilitate the admittance of every elector into the poll and to see that he is not impeded, interfered with or molested in polling his vote and he shall also instruct each voter how and where to affix his mark, and how to fold his ballot paper, but without inquiring or seeing for whom the elector intends to vote, except in the case provided for in this Act.

Instructions to voters.

Examining ballot boxes at opening of poll.

178. The deputy returning officer shall, immediately before the commencement of the poll, unlock the ballot box in the presence of those assembled, and turn it upside down, so as to empty it of anything that is in it, and then lock it and place his seal upon it in such manner as to prevent it being opened without breaking the seal; and he shall then place the box in his view for the receipt of ballot papers, and shall keep it so locked and sealed.

Voters to give names, &c.

179. Every elector, when presenting himself for the purpose of voting, shall, before being permitted to vote, state his name, occupation and residence to the deputy returning officer; and if such name be found on the list of electors the elector shall, if required by the deputy returning officer, or any candidate or any representative of a candidate, take or affirm the following oath or affirmation, to be administered to him by the deputy returning officer, that is to say:—

You swear (*or* do solemnly affirm, *as the case may be*):

Voter's oath

(*a.*) That you are the person named (*or* purported to be named) on the list of electors now shown to you;

(*b.*) That you are a subject of His Majesty by birth or naturalization;

(*c.*) That you are of the full age of twenty-one years;

(*d.*) That you are entitled to vote at this election and at this polling division;

(*e.*) That you have not voted before at this election, either at this or at any other polling place (*and if a general election, add*) or in any other electoral division in this Province;

(*f.*) That you have not accepted of any promise made to you or, to your knowledge, to your wife or to any of your relations, friends or other persons, to induce you to vote at this election;

(*g.*) That neither yourself nor, to your knowledge, your wife, nor any member of your family, nor any of your friends, nor any other person on your behalf, have received anything to induce you to vote at this election or in relation to your vote at this election;

(*h.*) That you are not acting, nor have acted, nor do intend to act, in the interests of any candidate at this election, either as paid carter or cabman or paid canvasser, with the view of obtaining anything for your trouble;

(*i.*) That you have not been paid or indemnified, or promised to be paid or indemnified, directly or indirectly, for your loss of time, travelling expenses, hire of vehicle or any other service connected with this election; and

(*j.*) That you have not been guilty of any act of corruption, disqualifying you from voting at this election: "So help you God." (*Last four words to be omitted if party affirms.*)

Refusing oath.

180. Any elector refusing to take or affirm to the oath or affirmation mentioned in the last preceding section, when thereunto required, shall not be permitted to vote, and shall immediately retire from the polling place.

Party practising fraud or violence, or personating not to receive ballot.

181. Whenever any deputy returning officer knows that fraud or violence is being practised in violation of the rights of electors, by which undue votes are tendered, or that any person has already voted at the said election and offers to vote again, or tenders his vote under a false name or designation, or personates or represents himself falsely as being on the list of electors, such deputy returning officer shall refuse to give a ballot to such person and mention thereof shall be made in the poll list:

Proviso.

Provided, always, that such refusal to give a ballot to a person who actually has a right to vote shall render the deputy returning officer liable for the penalty hereinafter provided for such a case.

Duty of deputy returning officer.

182. The deputy returning officer shall then proceed as follows:—

Voter's name on list.

(*a.*) He shall ascertain that the name of such person is entered, or purports to be entered, upon the list of electors for the polling division for which such deputy returning officer is appointed to act;

Recording voters.

(*b.*) He shall record or cause to be recorded in the proper columns of the poll book the name, occupation and residence of such person;

Recording oaths.

(*c.*) If such person takes the oath or makes the affirmation required to be taken by voters in the manner directed by this Act, the deputy returning officer shall enter, or cause to be entered, a note opposite such person's name, in the proper column of the said poll book, under the respective headings of "*Sworn*" or "*Affirmed*," as the case may be;

Recording objections.

(*d.*) Where a vote is objected to by any candidate or his agent, the deputy returning officer shall enter the objection, or cause the same to be entered, in the poll book, by writing opposite the name of such person, in the proper column headed "*Objected to,*" the name of the candidate on behalf of whom objection has been made;

Refusal to take oath.

(*e.*) Where such person as aforesaid has been required to take the oath or make the affirmation and refuses so to do, the deputy returning officer shall note, or cause to be noted, opposite the name of such person, in the proper column of the poll book headed "*Refused to be sworn,*" or "*Refused to affirm,*" according to the fact;

Penalty for receiving votes when oath is refused.

(*f.*) No person who has refused to take the oath or make the affirmation required by this Act, when requested to do so, shall receive a ballot paper or again be admitted to tender his vote; and the deputy returning officer, for having taken and received such vote, or caused the same to be taken and received, shall incur a penalty of two hundred dollars and, in default of payment, imprisonment for a period not less than six months nor more than twelve months;

Initials on ballot and counterfoil.

(*g.*) When the proper entries respecting the person so claiming to vote have been made in the poll book in the manner prescribed, the deputy returning officer shall sign his initials upon the back of a ballot paper and upon the counterfoil attached thereto;

Delivery of ballot to voter.

(*h.*) The ballot paper shall be detached from the counterfoil and delivered to such person;

Retaining counterfoil.

(*i.*) The counterfoil shall be retained in the book by the deputy returning officer, who shall write or otherwise mark upon such counterfoil the number prefixed to the name of such person upon the poll list.

Explanations to voters.

183. The deputy returning officer may explain to a voter as concisely as possible the mode or method of voting, and the colours in which the numbers and names of candidates are printed on the ballot paper.

Marking ballot and deposit in ballot box.

184. Upon receiving from the deputy returning officer the ballot paper prepared as aforesaid, the person receiving the same shall forthwith proceed into the room or the compartment provided for the purpose, and shall then and there mark his ballot paper in the manner mentioned in the directions to voters (Form No. 37), by placing a cross on any part of the ballot paper within the division containing the name of the candidate for whom he intends to vote thus, X; and he shall then fold the ballot paper across so as to conceal the names of the candidates and the mark upon the face of such paper, but so as to expose the initials of the deputy returning officer, and, leaving the room or compartment aforesaid, shall, without delay, and without showing the front to any one, or displaying the ballot paper so as to make known to any person the name of the candidate for or against whom he has marked his vote, deliver such ballot paper so folded to the deputy returning officer, who shall, without unfolding the same, or in any way disclosing the names of the candidates or the mark made by such elector, verify his own initials and at once deposit the same in the ballot box in the presence of all persons entitled to be present and then present in the polling place, and the voter shall forthwith withdraw from the polling place.

Voters to enter compartments singly.

185. While any voter is in or within any room or compartment for the purpose of marking his ballot paper, no other person shall be permitted to enter the room or compartment, or to be in a position from which he can observe the mode in which the voter marks his ballot paper.

Secrecy of voting.

186. Every officer, clerk and agent in attendance at a polling place shall maintain and assist in maintaining the secrecy of the voting thereat.

Voter not to be interfered with.

187. No officer, clerk, agent or other person whosoever shall interfere with, or attempt to interfere with, a voter when marking his ballot, or otherwise attempt to obtain at a polling place information as to the candidate for whom any voter at such polling place is about to vote or has voted.

Not to divulge for whom vote cast.

188. No officer, clerk, agent or other person shall communicate at any time to any person any information obtained at a polling place as to the candidate for whom any voter at such polling place is about to vote or has voted.

Secrecy to be preserved.

189. Every officer, clerk and agent in attendance at the counting of the votes shall maintain and assist in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting, or communicate any information obtained at such counting, as to the candidate for whom any vote is given by any particular ballot paper.

Ballots not to be exposed.

190. No person shall, directly or indirectly, induce any voter to display his ballot paper after he has marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

Penalty.

191. Any contravention of any of the seven last preceding sections shall be punishable by a fine of two hundred dollars and, in default of payment, by imprisonment for a term not exceeding six months.

Ballot papers not to be taken from polling place.

192. No person who has received a ballot paper from the deputy returning officer shall take the same out of the polling place; and any person having so received a ballot paper, who leaves the polling place without first delivering the same to the deputy returning officer in the manner prescribed, shall thereby forfeit his right to vote, and the deputy returning officer shall make an entry in the poll book, in the column for remarks, to the effect that such person received a ballot paper but took the same out of the polling place, or returned the same declining to vote (as the case may be), and in the latter case the deputy returning officer shall immediately write the word "*Declined*" upon such ballot paper and shall preserve it to be returned to the returning officer.

Assisting voters.

193. In case of an application by any person claiming to be entitled to vote, who is incapacitated by blindness or other physical disability from marking his ballot paper, or in case of any person claiming to be entitled to vote who makes a declaration that he is unable to read, the proceedings shall be as follows:—

Marking of ballot by deputy returning officer.

(*a.*) The deputy returning officer shall, in the presence of the agents of the candidates if present, cause the vote of such person to be marked on a ballot paper in the manner directed by such person, and shall cause the ballot paper to be placed in the ballot box;

(*b.*) The deputy returning officer shall state, or cause to be stated, in the poll book, by a note opposite the name of such person in the proper column of the said poll book, that the vote of such person is marked in pursuance of this section, and the reason why it is so marked; Note on list.

(*c.*) The declaration of inability to read (Form No. 38) shall be made by the person claiming to be entitled to vote, at the time of the polling, before the deputy returning officer, who shall attest the same as nearly as may be according to Form No. 39, and the said declaration shall be given to the deputy returning officer at the time of voting. Declaration of inability to read.

194. Except as provided for in the last preceding section, no one shall divulge to anyone within the polling place the name of any candidate for whom he intends to vote, or has voted, or ask for or receive the assistance of any person within the polling place in marking his ballot. Intoxication shall not be regarded as a physical disability, and no intoxicated person shall be entitled to assistance in marking his ballot. Voter not to divulge name of candidate for whom he intends to vote.

195. A person claiming to be entitled to vote, who has inadvertently dealt with his ballot paper in such a manner that it cannot be conveniently used as a ballot paper, may, on delivering to the deputy returning officer the ballot paper so inadvertently dealt with and proving the fact of the inadvertence to the satisfaction of the deputy returning officer, obtain another ballot paper in place thereof, and the deputy returning officer shall immediately write the word "*Cancelled*" upon such ballot paper and upon the counterfoil, and preserve it to be returned to the returning officer. Spoiled ballot papers.

196. If any person representing himself to be a particular elector named on the list of electors applies to vote after another person has voted as such elector, the applicant shall, upon duly taking the oath authorized by this Act to be administered to voters at the time of voting, be admitted to vote, and the name of such person shall be entered in the poll book with a remark stating the fact that such person has been admitted to vote after another person had voted under the same name. Voting after previous vote under same name.

197. Any person who is entitled to vote in the electoral division in which an election is being held, and who has been appointed deputy returning officer or poll clerk, or agent of one of the candidates, for a poll other than the one where he is entitled to vote, shall, on request, receive from the returning officer a certificate showing such right to vote and authorizing him to vote at the poll where he is employed; Certified voter.

(*a.*) On the production of such certificate, such person, if actually employed at a poll as deputy returning officer, poll clerk or candidate's agent, may vote in the usual manner at such poll, instead of voting at the poll where he would otherwise have been entitled to vote; Voting under certificate.

(*b.*) Mention shall be made in the poll book, opposite the name of such voter, of the fact of his having voted under this section; Mention in poll list

(*c.*) Provided that no more than one person shall be permitted to vote at any poll upon certificate as above as the agent of any candidate. Only one agent to vote on certificate

198. Whenever the deputy returning officer fails to understand the language spoken by any elector claiming the right to vote, he shall swear an interpreter who shall be the means of communication between him and such elector with reference to all matters required to enable such elector to vote. Interpreter.

199. Every elector shall vote without undue delay, and shall withdraw from the polling place as soon as his vote is given. Undue delay forbidden.

200. No elector summoned as a witness before any Judge of Court whatever in this Province shall be compelled to appear before such Judge or Court on the day during which polling takes place in the electoral division in which such elector is entitled to vote. Electors excused as witnesses.

201. Any person entitled to vote at an election held under the provisions of this Act shall, on the day of such election, be entitled to absent himself from any service or employment in which he is then engaged or employed between the hours of twelve o'clock noon and two o'clock in the afternoon, and such voter shall not, because of so absenting himself, be liable to any penalty, nor shall any deduction be made on account of such absence from his usual salary or wages. Employees to be allowed time to vote.

Counting Ballots and Proceedings after the close of the Poll.

202. Immediately after the close of the poll in every polling place, the deputy returning officer shall, in the presence of the poll clerk and of such of the candidates or of their agents as may then be present, open the ballot box and proceed to count the votes as follows:— Opening ballot boxes.

(*a.*) In case there are more ballots in the box than there should be according to the poll book, any ballot paper which has not on its back the initials of the deputy returning officer shall not be counted; Ballots not initialed on back.

(*b.*) Any ballot paper on which votes are given for more than one candidate shall not be counted; More than one mark.

(*c.*) Any ballot paper on which anything is written or marked by the voter by which he can be identified, except the mark X, shall not be counted; provided, however, that if an elector with an honest intention to vote in favour of one of the candidates whose name is upon a ballot paper, and without any apparent intention of identification, shall have marked his ballot other than with a cross mark (X), as V, or I, or ——, or O, or other mark, clearly indicating an intent to mark in favour of any name, it shall be deemed a sufficient vote for the candidate in whose favour the same is so marked; but not if the cross mark (X) be used elsewhere on the same ballot; Ballot on which voter writes.

(*d.*) A mark as aforesaid made out of its proper division, but so near it as to clearly indicate the candidate for whom the voter evidently intended to vote, shall be deemed a vote for that candidate; Mark outside division.

(*e.*) The deputy returning officer shall decide any question arising out of any objection made by a candidate or his agent, or by any elector present, to any ballot paper; and Note of objection and decision thereon.

the decision of the deputy returning officer shall be final, subject only to reversal on a a recount by the County Court Judge, or on petition questioning the election or return;

Indorsement on rejected ballots.

(*f.*) The deputy returning officer shall indorse "*Rejected*" on any ballot paper which he may reject as invalid, and shall indorse "*Rejection objected to,*" if an objection be made to the decision, and shall indorse "*Objected to but counted*" on any ballot paper objected to but counted by him;

Counting up votes and statement of result.

(*g.*) The deputy returning officer shall then count up the votes given for each candidate upon the ballot papers not rejected, and make up a written statement, in words as well as in figures, of the number of votes given for each candidate, and of the number of ballot papers rejected and not counted by him, which statement shall be made under the several heads following:—

Contents of statement.

(i.) Number of polling division, name of electoral division and date of election;

(ii.) Number of votes for each candidate;

(iii.) Number of ballot papers rejected;

(iv.) Number of ballot papers spoiled, declined and taken from poll;

(v.) Number of unused ballot papers;

(vi.) Number of ballot papers received from the returning officer;

Signing statement.

(*h.*) Upon the completion of such written statement in duplicate, it shall be forthwith signed by the deputy returning officer and such of the candidates or their agents as may be present and desire to sign such statements; and the deputy returning officer shall furnish to any candidate or his agent requesting it a copy of such statement certified to by him; and

Candidate or agent may obtain copy.

Statement to be placed in ballot box.

(*i.*) One of such statements shall be placed in the ballot box, and the other shall be enclosed in an envelope and given or transmitted to the returning officer.

Oath after close of poll.

203. The deputy returning officer who has presided at the poll shall, before returning the poll book as aforesaid to the returning officer, make and subscribe, either before a justice of the peace or before the returning officer or the poll clerk the oath (Form No. 40), which oath shall thereafter be annexed to the poll book.

Oath by poll clerk.

204. Every poll clerk shall after the closing of the poll in which he has acted as such poll clerk, before the deputy returning officer has returned the poll book and other documents to the returning officer as herein required, make and subscribe, either before a justice of the peace or before the said deputy returning officer or before the returning officer, an oath (Form No. 41), which oath shall be included in the return to be made by the deputy returning officer.

Packets to be sealed.

205. Every deputy returning officer, at the completion of the counting of votes after the close of the poll, shall in the presence of the agents of the candidates make up into separate packets, sealed with his own seal and the seals of such agents of the candidates who desire to affix their seals, and mark upon the outside with a short statement of the contents of such packet, the date of the day of the election, his own name as deputy returning officer and the polling division and electoral division:—

Statement of contents to be indorsed on each.

(*a.*) The used ballot papers which have not been objected to and have been counted;

(*b.*) The ballot papers which have been objected to, but which have been counted;

(*c.*) The rejected ballot papers;

(*d.*) The spoiled and declined ballot papers;

(*e.*) The counterfoils of the ballot papers, and the unused ballot papers; and

(*f.*) The list of electors and the poll book, with the required oaths, a statement of the number of voters whose votes are marked by the deputy returning officer under the heads "*Physical Disability*" and "*Unable to Read,*" with the declarations of inability, and the notes taken of objections made to ballot papers found in the ballot box, and the commissions of the deputy returning officer and poll clerk, with their respective oaths of office annexed thereto.

Packets to be put into ballot box and delivered to returning officer.

206. The deputy returning officer shall forthwith deposit such packets in the ballot box, and lock and seal the same securely, and personally deliver the same to the returning officer, and if he be unable to do so, owing to illness or other cause, he shall deliver such ballot box containing such packets to a person chosen by him for the purpose of delivering the same to the returning officer, and shall take a proper receipt therefor.

No scrutiny by returning officer.

207. No returning officer shall grant, make or enter into any scrutiny of the votes given at any election.

Transmission of ballot boxes.

208. Each deputy returning officer shall deliver the ballot box used in his polling division, securely locked and sealed, to the returning officer, who shall, after the time for a recount has expired, without opening any of them except as provided in the two hundred and thirteenth section of this Act, transmit them to the Clerk of the Executive Council; and the ballot boxes delivered to such clerk shall be preserved by him for use at future elections.

Adding up votes and declaration.

209. The returning officer at the place and time appointed by his proclamation, and after having received statements from all the deputy returning officers, shall proceed to open said statements in the presence of the candidates or their representatives, if present, or of at least two electors, if the candidates or their representatives are not present, and to add together the number of votes given for each candidate from such statements, and shall then declare elected the candidate who is found to have a majority of votes.

Returning officer to have casting vote.

210. Whenever, on the final addition of votes by the returning officer, any equality of votes is found to exist between any two or more of the candidates, and the addition of a vote would entitle any of such candidates to be elected, the returning officer shall give such additional or casting vote.

Declaration may be adjourned.

211. If the returning officer has not received all the statements on the day fixed for the declaration, he shall adjourn the proceedings to a subsequent day, but not longer than one week.

Statement or copies to be got.

212. If within the delay so fixed the statements are not all received by the returning officer, he shall call on the deputy returning officers for copies of the missing statements, or he may accept copies of such statements given by any deputy returning officer to any candidate or

his agent under the provisions of the two hundred and second section of this Act. If no statements can be obtained, an affidavit of the deputy returning officer and the poll clerk as to the number of votes given for each candidate may be taken.

Case when ballot box may be opened to get duplicate statement.

213. If all the statements are not received as provided by the two hundred and eleventh and two hundred and twelfth sections of this Act and a candidate or his representative is not satisfied with the evidence of such statement obtained under said two hundred and twelfth section, he may demand that the ballot box or boxes for the polling division or divisions for which the statement is missing be opened, so that the duplicate statement therein deposited may be obtained and used. In such case the returning officer shall open such ballot box in the presence of all the persons present at the declaration and take out such duplicate statement and act upon it. No other documents or papers in the ballot box shall be looked at, and the ballot box shall be forthwith locked and sealed, and any person present may place his seal upon it.

Property in ballot boxes, papers, &c.

214. The property in the ballot boxes, ballot papers and marking instruments procured for or used at an election shall be in His Majesty.

Recount of Ballots.

County Judge may order recount.

215. In case at any time within four days after that on which the returning officer makes his declaration, application is made to the Judge presiding over the County Court of any judicial division, the whole or any part of which is in the electoral division in which the election has been held, by an elector on behalf of any candidate, for a recount of the ballots and re-addition of the number of votes given, and in case the applicant deposits within the said time with the said Judge the sum of twenty-five dollars as security for the costs in respect of the recount in favour of the candidate appearing by the addition to be elected, the said Judge may appoint a time, within four days after, to recount the votes, and shall give notice in writing to the candidates or their agents of the time and place at which he will proceed to recount the same.

Judge shall order ballot boxes and statements produced.

216. The said Judge shall forthwith summon and command the returning officer and election clerk to attend before him then and there, with all the ballot boxes and statements, which command the returning officer and election clerk shall obey.

Who may be present at recount.

217. The said Judge, the returning officer and his election clerk, and each candidate and his agent authorized to attend such recount of votes, and if the candidates and their agents be absent then at least three electors may be present at such recount of votes.

Judge to open sealed packets.

218. At the time and place appointed, the said Judge shall proceed to recount all the votes or ballot papers returned by the several deputy returning officers, and shall in the presence of the parties aforesaid, if they attend, open the ballot boxes and sealed packets containing:—

(*a.*) The used ballot papers which have not been objected to and which have been counted;

(*b.*) The ballot papers which have been objected to, but which have been counted;

(*c.*) The rejected ballot papers; and

(*d.*) The spoiled ballot papers, but no other ballot papers or counterfoils.

To decide upon all ballots.

219. The said Judge shall decide upon each of said ballots, whether objected to before the returning officer or not.

Manner of proceeding with recount and precautions to be observed.

220. The Judge shall, as far as practicable, proceed continuously, except on Sundays and non-juridical days, with such recount of votes, allowing only time for refreshment, and excluding (except so far as he and the parties aforesaid agree) the hours between six o'clock in the evening and nine o'clock on the succeeding morning. During the excluded time and recess for refreshment, the said Judge shall place the ballot papers, the poll book and other documents relating to the election in a sealed envelope under his own seal and the seals of such other of the parties as desire to affix their seals, and shall otherwise take the precautions necessary for the security of such ballot papers, poll books and documents;

Objections to be decided summarily.

(*a.*) He shall proceed to recount the votes and shall verify or correct the ballot papers account, the count of the votes and statement of the number of votes given for each candidate, by deciding the objections without delay and as they are made; and—

Papers to be re-sealed and result certified to by returning officer.

(*b.*) Upon the completion of such recount, or so soon as he has thus ascertained the true result of the poll, he shall seal up the said ballot papers, poll books and other documents and shall forthwith certify the result to the returning officer, who shall then declare to be elected the candidate having the highest number of votes, and in case of any equality of votes the returning officer shall give the casting vote, in like manner as provided in the two hundred and tenth section of this Act.

Return to be made by returning officer to Clerk of Executive Council.

221. The returning officer, within ten days after he has declared the result of the election, unless he has received from the Judge notice of a recount, in which case, after he receives a certificate from the Judge of the result of such recount, shall make his return to the Clerk of the Executive Council (Form No. 42).

Costs on recount.

How to be paid.

222. The Judge shall be entitled to receive the sum of five dollars per day, and the clerk *ad hoc* the sum of two dollars per day, for the said recount. In case the recount alters the return, such sums shall be paid out of the deposit made with the returning officer on nomination day by the candidate appearing before the recount to be returned; in case the recount does not alter the return, such sums shall be paid out of the sum of twenty-five dollars deposited by the applicant.

Duties of Clerk of Executive Council.

Duties of Clerk of Executive Council.

223. Immediately after the issue of the writs for a general election, or the writ for any bye-election, the Clerk of the Executive Council shall supply the returning officers or returning

officer appointed for the electoral divisions or division for which elections are or an election is (as the case may be) to be held, with a sufficient number of blank poll books (Form No. 43) for the purposes of the election, having regard to the number of polling divisions within the electoral division, which shall contain the following blank forms:—

(*a.*) Commission of deputy returning officer;
(*b.*) Oath of deputy returning officer;
(*c.*) Certificate of deputy returning officer having taken oath;
(*d.*) Commission of poll clerk;
(*e.*) Oath of poll clerk;
(*f.*) Certificate of poll clerk having taken oath;
(*g.*) Oath of deputy returning officer after closing the poll;
(*h.*) Oath of poll clerk after closing the poll.

To send certificate to candidate elected.

224. It shall be the duty of the Clerk of the Executive Council, immediately after the delivery of the return of election papers of any electoral division, without delay, to transmit to the candidate elected a certificate of his election (Form No. 44).

Custody of papers, &c., used at elections.

225. After the close of the election, the Clerk of the Executive Council shall keep in his custody the various papers and documents relating to the election for at least one year, after which period they may be destroyed.

Notice in *Gazette*.

226. The Clerk of the Executive Council shall, on receiving the return of any member elected to the Legislative Assembly, publish in the next number of "*The Manitoba Gazette*" the name of the candidate elected.

Peace and Good Order at Elections.

Election officers to have power of a justice of the peace.

227. Every returning officer and every deputy returning officer, from the time they shall respectively have taken the oath of office until the day after the closing of the voting, shall be a conservator of the peace, vested with all the powers appertaining to a justice of the peace.

Officers may require assistance.

Or swear in special constables.

228. Any returning officer or deputy returning officer may require the assistance of justices of the peace, constables or other persons present, to aid him in maintaining peace and order at such election; and he may also, on a requisition made in writing by any candidate or by his agent, or by any two electors, swear in such special constables as he deems necessary (Form No. 45).

Arrest on verbal order.

229. The returning officer or deputy returning officer may arrest or cause to be arrested by a verbal order, and place in the custody of any constable or other person, any person disturbing the peace and good order at the election or committing or attempting to commit in his presence any offence against any of the provisions of this Act; and may cause such person to be taken before a justice or justices of the peace to be dealt with according to law.

Concealed weapons.

230. The returning officer or deputy returning officer may, during the nomination day and polling day, require any person within half a mile of the place of nomination or the polling station to deliver to him any fire-arm, sword, stave, bludgeon or other offensive weapon in the hands or personal possession of such person; and any person refusing to deliver such offensive weapons shall be liable to a penalty of one hundred dollars and, in default of payment, to imprisonment for a term not exceeding six months.

No person to enter electoral division armed.

231. No person shall be permitted to enter any electoral division or polling division, during the polling in such division, with any kind of offensive weapons whatsoever, such as fire-arms, swords, staves, bludgeons or other similar weapons.

Or approach within one mile of poll.

232. No person within the electoral division or polling division shall be allowed to arm himself during the day of voting with any offensive weapon or weapons and, thus armed, approach within a distance of one mile of the place where the poll is being held, unless called upon to do so by lawful authority.

Exceptions.

233. The prohibition mentioned in the two last preceding sections shall not apply to the returning officer or to the election clerk, or the deputy returning officer or poll clerk, or to the constables or special constables at any election.

Not to use flags or distinguishing emblems.

234. No candidate or other person shall furnish or give to any person whatsoever any flag, standard, ensign, banner, distinctive colour, ribbon, signal, printed paper or cockade, or anything of such nature, to the end that the same may be carried or used within the electoral division between the eighth day before nomination day and the day following the close of the poll, as a banner or party signal distinguishing the bearer or his followers as partizans of such candidate, or holding the same opinions as those supposed to be held by such candidate.

Carrying flags, etc.

235. No person, upon any pretence whatever, shall carry any flag, standard, ensign, banner, distinctive colour, ribbon, signal, printed paper or cockade, or any other similar thing, nor shall the same be used as a banner or party sign, within the limits of such electoral division, from the day of nomination until the day after that on which the poll is closed.

Penalties for offences.

236. Every person offending against any of the provisions of the five last preceding sections shall incur a fine not exceeding two hundred dollars, and be liable to imprisonment not exceeding six months in default of payment.

Hotels, etc., to be closed.

237. Every hotel, tavern, shop or store, whether licensed or not, in which spirituous or fermented liquors or drinks are ordinarily sold, shall be closed on the day of the polling until the close of the poll in the electoral division in which an election is being held, under a penalty of two hundred dollars and, in default of payment, imprisonment for six months.

Sale of liquors prohibited.

238. No spirituous or fermented liquors or drinks shall be sold or given to any person whomsoever, within the limits of a polling division, during the day of polling, until after the close of the poll, under a penalty of two hundred dollars and, in default of payment, imprisonment for six months.

Buildings where public political meetings cannot be held.

239. No premises,—

(*a.*) On which the sale, by wholesale or retail, of any intoxicating liquor is authorized by license (whether the license be for consumption on or off the premises); or

(*b.*) Where any intoxicating liquor is sold or is supplied to members of a club, society or association; or

(*c.*) Whereon, in cities and towns, liquors are ordinarily sold for consumption in such premises;

shall be used for hire for the purpose of holding a public political meeting, or shall be used for hire as a committee room for the purpose of promoting or procuring the election of a candidate at an election; and if any person hires or uses for hire any such premises or any part thereof for either of the purposes aforesaid, such person shall be liable to a fine not exceeding two hundred dollars and not less than one hundred dollars; and the person letting such premises or part thereof, if he knew it was intended to use the same for either of the said purposes, shall be liable to a fine not exceeding two hundred dollars and not less than one hundred dollars, and, in both cases, to not less than six months' nor more than twelve months' imprisonment in case of default of payment. Penalty.

* * * * * * * * * *

Election Expenses.

To be paid through agents.

283. Except in respect of the personal expenses of a candidate at an election, no payment, loan or deposit shall be made by or on behalf of such candidate at any election, before or during or after such election, on account of such election, otherwise than through one or more agents whose names and addresses have been declared in writing to the returning officer on or before the nomination day, or through one or more agents to be appointed in their places as provided by the two hundred and eighty-fifth section of this Act.

Penalty.

(*a.*) Any person making any such payment, loan or deposit, otherwise than through an agent appointed under this section or under said two hundred and eighty-fifth section, shall incur a penalty of two hundred dollars, and imprisonment for six months in default of payment.

Agents' names to be published.

284. It shall be the duty of the returning officer to publish, on or before the nomination day, the name and address of every agent appointed in pursuance of the last preceding section.

New agents, appointment and publication of names of.

285. In the event of the death or legal incapacity of any agent appointed in pursuance of the two hundred and eighty-third section of this Act, the candidate shall forthwith appoint another agent in his place, by giving notice of the name and address of the person so appointed to the returning officer, who shall forthwith publish the same as provided by the last preceding section.

Claims for election expenses to be made within a month.

286. All persons who have any charges or claims upon any candidate, for or in respect of any election, shall send in such charges or claims within one month after the day of the declaration of the election to the agent or agents of the candidate, otherwise such persons shall be barred of their right to recover such charges or claims, or any and every part thereof.

Claims by legal representatives.

287. Nevertheless, in the event of the death, within such month, of any person claiming the amount of any charge or claim, the legal representative of such person shall send in such charge or claim within one month of his obtaining probate or letters of administration, or of his becoming otherwise authorized to act as such legal representative, otherwise the right to recover such claim shall be barred.

Claims sent to candidates, if no agent.

288. Such claims and accounts shall and may also be sent to the candidate, if there be no agent, and so long as there is not within the said month, by reason of death or legal incapacity, an agent of the candidate.

Approval before payment.

289. The agent shall not pay such accounts, charges or claims without having first approved them himself and obtained the approval of the candidate.

Detailed statement by agent to be sent to Clerk of Executive Council.

290. A detailed statement of all election expenses incurred by or on behalf of any candidate shall, within two months after the election, be made out and signed by the agent or, if there be more than one, by every agent who has paid the same, and by the candidate in cases of payment made by him, and delivered, with the bills and vouchers relative thereto, to the Clerk of the Executive Council.

Supplementary statement.

291. If, owing to the death of any creditor, an account has not been sent in within the two months next after the election, a supplementary statement shall be made and delivered, as hereinbefore prescribed, within one month after such account shall have been received.

Publication of abstracts.

292. The Clerk of the Executive Council shall, within fourteen days, cause an abstract of such statement, with the signature of the agent attached thereto, to be published in "*The Manitoba Gazette.*"

Penalty for omission to send statement.

293. Any agent or candidate failing to deliver to the Clerk of the Executive Council the statements required by the two hundred and ninetieth and two hundred and ninety-first sections of this Act shall incur a penalty of two hundred dollars, and imprisonment for six months in default of payment.

Penalty for false statement.

294. Every agent or candidate wilfully delivering unto the Clerk of the Executive Council an inaccurate statement shall incur a penalty of five hundred dollars, and imprisonment for twelve calendar month in default of payment.

Custody and examination of vouchers.

295. The Clerk of the Executive Council shall preserve all such accounts and vouchers, and during the six months next after they have been delivered unto him he shall permit any elector to see and examine the same.

Fees and Expenses of Election Officers.

Officers' fees.

296. The allowance and sums set forth in Form No. 46 in the schedule, and no more, shall be allowed to the officers therein mentioned for their services and disbursements, and shall be paid out of the Consolidated Revenue Fund of this Province.

Payments to returning officer for distribution to deputies.

297. Where necessary, payments may be made to the returning officer for apportionment between the several deputy returning officers, election clerks and poll clerks entitled thereto.

NEW BRUNSWICK.

Provincial Secretary's Office, Fredericton,
New Brunswick, May 10, 1906.

SIR,

I HAVE the honour, by direction of the Honourable the Provincial Secretary, to enclose you a memorandum of cost of elections in this Province since the last, and including the last general election. I also beg to state I have no means of ascertaining the private expenses of candidates incurred during an election. I return the despatch in reference thereto.

I have, &c.,
R. W. L. TIBBITS,
Deputy Provincial Secretary.

His Honour the
Lieutenant-Governor,
City.

COST OF ELECTIONS, 1903, PROVINCE OF NEW BRUNSWICK.

	$	$
General elections:—		
Albert County	340.05	
Carleton County	600.31	
Charlotte County	760.40	
Gloucester County	504.75	
Kent County	356.25	
King's County	650.89	
Madawaska County	77.40	
Northumberland County	583.89	
Queen's County	353.45	
Restigouche County	368.51	
St. John City	646.15	
St. John County	352.75	
Sunbury County	230.72	
Victoria County	269.35	
Westmorland County	755.80	
York County	1,175.78	
		8,026.45
Bye elections:—		
St. John City		60.70
Revision Court:—		
Albert County	20.00	
Kent County	8.90	
Westmorland County	27.00	
		55.90
1904.		
Revision Court:—		
Sunbury Court	9.00	
Bye Election:—		
Madawaska County	63.40	
		72.40
1905.		
Bye election:—		
Westmorland County	113.90	
St. John City	654.40	
St. John County	339.53	
Carleton County	76.90	
Northumberland County	86.00	
		1,270.73

Revision Court:—

	$	$
St. John	192.09	
Charlotte County	32.40	
Carleton County	67.00	
Northumberland County	32.50	
Albert County	23.30	
Queen's County	22.60	
Sunbury County	9.50	
		379.39
		$9,865.57

TITLE III. OF THE LEGISLATURE.

Chapter 3.

Respecting Elections to the Legislative Assembly.

Short Title.

1. This Chapter may be cited as "The New Brunswick Elections Act." 52 V., c. 3, s. 1. Short title.

* * * * * * * *

Election.

52. Every writ of election shall be issued by the Provincial Secretary and Clerk of the Crown in Chancery, and shall be addressed and delivered to the Sheriff, who is *ex officio* the returning officer for the electoral district, but if, owing to the absence or illness of the Sheriff, or from any other cause deemed sufficient by the Lieutenant-Governor in Council, it shall be considered advisable not to address and deliver such writ to the Sheriff, then the same may be addressed and delivered to such other person as the Lieutenant-Governor in Council may appoint to be returning officer at the election. 52 V., c. 3, s. 43. Issue of writ. Writ to be addressed to returning officer.

53. In case the Sheriff, or other person to whom the visit has been addressed under the aforegoing provision, should refuse to act, or should be absent, or should be incapacitated or unable from sickness or any other cause to act as returning officer, the Lieutenant-Governor in Council may appoint some other person as returning officer. 52 V., c. 3, s. 44. Provision where refusal or incapacity of returning officer to act.

54. No commission shall be required for the appointment of a person to be returning officer at any election, but the direction of the writ of election to a person therein named shall be a sufficient appointment of the person as returning officer. 52 V., c. 3, s. 45. Commission for appointment of returning officer not required.

55. None of the persons hereinafter designated in this section shall in any case be appointed or act as returning officer, or as presiding officer, or as election clerk, or as poll clerk, that is to say: (*a*) Members of the Executive Council; (*b*) Members of the Parliament of Canada, or of the Legislative Assembly of this Province; (*c*) any minister, priest, or ecclesiastic, under any form or profession of religious faith or worship; (*d*) a Judge of any court having general jurisdiction throughout the Province; (*e*) persons who have served in the Legislature of this Province as Members of the Assembly, in the session next immediately preceding the election in question, or in the present session, if an election takes place during a session of the Assembly. 52 V., c. 3, s. 46. Persons disqualified from being returning officers, &c.

56. None of the persons hereinafter mentioned in this section, unless they are sheriffs, or town clerks, or assessors, shall be obliged to act as returning officer or presiding officer, or as an election clerk or poll clerk, that is to say: (*a*) physicians and surgeons; (*b*) postmasters; (*c*) persons being sixty years of age and upwards. 52 V., c. 3, s. 47. Exemption of certain persons from acting as returning officers, etc.

57. Whenever a general election is to be held of Members for the Legislative Assembly, the Lieutenant-Governor in Council shall fix a day for the nomination of candidates in all the electoral divisions in this Province, and a day on which the polling shall take place, in cases where a poll is demanded and allowed; and the same provisions shall apply in the case of a single election. 52 V., c. 3, s. 48. Day to be fixed by Lieutenant-Governor for nomination and polling.

58. The day so to be fixed as aforesaid for the nomination and for the holding of the poll shall be named in the several writs of election for the several electoral districts in the Province, and the day of polling shall, except as in the sixtieth section excepted, be the seventh day after the day fixed for nomination of candidates, that is, the same or corresponding day of the week next after that on which the nomination is fixed to take place; and if such seventh day be a statutory holiday, then on the next following day, not being Sunday or a statutory holiday. 52 V., c. 3, s. 49. Time for nomination and polling.

59. At every general election, the election for all the electoral districts throughout the Province shall take place and be held on one and the same day, except as is provided in the next following section. 52 V., c. 3, s. 50. At general election all elections to be held on same day.

Exception as to County of Gloucester.

60. In the County of Gloucester the day of polling shall be the Monday next after the day of nomination, providing such Monday shall be five clear days after the day of nomination; if the Monday next after such day of nomination shall be less than five clear days, the polling shall take place on the second Monday after the day of nomination. 52 V. c. 3, s. 51.

Date and return of writs.

61. All writs for the election of Members to the Legislative Assembly shall be dated on the same day, and need not name a return day, but shall be returnable forthwith after the execution thereof. 52 V., c. 3, s. 52.

PROCEEDINGS AT ELECTIONS.

Endorsement by returning officer. Notice to constables to attend polling booths.

62. Each Sheriff or returning officer shall, on receiving the writ of election—which writ shall be in the form (F) in the schedule to this Chapter—forthwith endorse thereon the date of its receipt, and he shall give notice to two or more constables in each polling sub-division requiring their attendance at the polling booth on the day of polling. 52 V. c. 3, s. 53.

Proclamation. Posting of proclamation. Contents of proclamation.

63. The Sheriff or returning officer shall, within eight days after the receipt of the writ of election, and at least eight days before the day fixed for the nomination of candidates, issue a proclamation by hand-bills, to be posted up in three or more of the most public places in each polling sub-division of the county, stating the time at which the Court for the nomination of candidates, as appointed in the writ of election, shall be holden at the shiretown, as also the day and places at which the poll shall be taken, if demanded, and the hours between which the poll shall remain open. 52 V. c. 3, s. 54.

Computation of days.

64. Neither the day of nomination, nor the time of the posting up of the proclamation shall be included in the eight days. 52 V. c. 3, s. 55.

Certain duties to be performed by returning officer on the day of nomination.

65. On the day appointed for opening the election, the Sheriff shall hold his court for the nomination of candidates at the County Court House, between the hours of ten and twelve o'clock in the forenoon, and shall read the writ of election and take the following oath, to be administered by a justice or any two electors of the county:

> "I, A. B., do swear that I have not directly or indirectly received any money, office, employment, gratuity or reward, or any bond, bill or note, or promise of gratuity whatsoever, either by myself or another, or to my use or advantage, for appointing any presiding officer to superintend the polling, or any clerk, or for making the return at this election, and that I will in all things to be done by me in this election act impartially and according to law, and return the person having the majority of votes." 52 V., c. 3, s. 56.

Proceedings on day of nomination.

66. The Sheriff shall then administer to the clerk whom he shall appoint to assist him in the election the oath prescribed hereafter for the respective clerks. The Sheriff shall not receive any nomination of candidates after twelve o'clock, noon, but shall keep his court open until two o'clock in the afternoon, during which time the names of all the candidates who shall have been duly nominated, as required by sections 4 and 5 of this Chapter, and who shall, when required, have taken the qualification oath in the form (H) in the schedule to this Chapter, shall be entered in the poll book under his direction. If no poll be demanded, he shall proceed to the election by show of hands and declare the Members chosen, close the election and make his return. But if a poll be demanded, he shall grant the same, and shall then adjourn the court and further proceedings in the election until some day within five days after the day fixed for taking the poll. If the qualification of any candidate is questioned, it must be done on or before two o'clock of the day of opening the election, and the Sheriff shall give the candidate or his agent, or some one of the persons signing his nomination paper, immediate notice thereof, and unless the necessary declaration of qualification, as in the form (H) in the schedule, is made by the candidate or an elector for him before the Sheriff, and filed with the Sheriff by two o'clock of that day, he shall not enter his name in the general poll book. 52 V., c. 3, s. 57; 60 V., c. 38, s. 3.

Withdrawal of candidate after nomination.

67. If at any time before the day appointed for taking the poll, all the candidates, except the number required by the writ to be returned, shall, by writing under their hands, made in the presence of two or more credible witnesses, and of the Sheriff, signify to the Sheriff their resignation, he shall not hold any poll, but shall notify the respective officers appointed to take the poll not to proceed with the election; and shall on the day to which the Court has been adjourned, declare the remaining candidates duly elected, and make his return accordingly. 52 V., c. 3, s. 58.

Place of polling to be stated in proclamation. Hours of polling.

68. The place at which the polling will be held within any polling subdivision shall be stated in the proclamation, and the hours during which the poll shall remain open shall be between eight o'clock in the forenoon and four o'clock in the afternoon of the day fixed for the polling, at which last mentioned hour the poll shall close, except as provided in section 74 of this Chapter. 52 V., c. 3, s. 59.

Appointment of presiding officers and poll clerks.

69. The Sheriff shall at every election appoint by precept a sufficient number of officers to preside at the polls and superintend the balloting in the different polling sub-districts, and also a sufficient number of clerks. The precept shall be as follows, to be varied to suit each case:—

> To ——
>
> B. W., Esquire, Sheriff of , sends greeting:
>
> Having received the King's Writ for the election of persons duly qualified to represent the of in the Legislative Assembly, I appoint you, C. D., of to take and preside at the poll to be held for on the day of , and require you immediately after the polling to make return thereof with this precept according to law.
>
> Given under my hand and seal at on the day of
> B. W., (*L. S.*)

52 V., c. 3, s. 60.

70. The Sheriff shall furnish the presiding officer of every polling place with a ballot box and a true copy of the voters' list for the polling sub-district for which he is appointed, certified by the Sheriff, and legibly written; he shall also furnish the clerk appointed for every polling place with a suitable book properly ruled for a check list. 52 V., c. 3, s. 61.

Ballot box, voters' list, and check list book.

71. When the number of voters on the list in any one polling sub-district exceeds four hundred, it shall be lawful for the returning officer to provide two boxes for such sub-district, dividing the registered list of the voters alphabetically, so as to allow as nearly as may be an equal number of voters to deposit their ballots in each box, and for that purpose the returning officer may employ such additional clerks or deputies as may be required, and a separate check list, statement and return shall be kept and made for and in respect of each division of any such polling sub-district. 54 V., c. 10, s. 1.

Where list of voters in sub-district exceeds four hundred, list may be divided, and two ballot boxes, &c., provided.

72. If the copy of the voters' list furnished to any presiding officer is lost or destroyed before the polling, so late that another cannot be procured from the Sheriff in time for the polling, he may apply to the town clerk for his copy, who shall furnish the same to him for the polling. 52 V., c. 3, s. 62.

Loss of voters' list.

73. The Sheriff shall, before the polling, cause booths to be erected, or procure suitable buildings for taking the poll; and on the day of the polling the presiding officer shall post up the names of the candidates in large letters in the order of their nomination, in a conspicuous part of the polling booth. 52 V., c. 3, s. 63.

Polling booths. Names of candidates to be posted up.

74. In case the presiding officer, from unforeseen delay, accident, or other cause, does not open any polling sub-division until after the hour named, he shall make a record in the poll book of the hour at which the poll is opened, and shall continue the poll open during eight full hours thereafter. 52 V., c. 3, s. 64.

Delay in opening poll.

75. The presiding officer at every polling place shall, at the opening of the poll, read aloud the names of the candidates, and before he receives any votes, subscribe the following oath:—

Reading of candidates' names by presiding officer.

> "I, A. B., do swear that I have not received any sum of money, office, employment or gratuity, or any bond, bill or note, or any promise of gratuity, by myself or another, to my use or advantage, for making any return at this election, and I will faithfully discharge my duty at the election to the best of my knowledge and judgment,* and I will return to the Sheriff the copy of the voters' list furnished me and the check list of the number of votes, and the statement of the results received by me from the clerk";

Oath by presiding officer and clerk.

And every clerk shall, before the polling commences, take an oath in the same form down to the asterisk, with the addition of these words: "And I will truly enter the names of the electors in the check list, and faithfully assist the presiding officer in the conduct of the election at the polling place where I have been appointed to act as clerk";

Which oaths may be administered by a justice, or any two electors of the county, and shall be entered in the book which contains the check list. 52 V., c. 3, s. 65.

Oaths to be entered in check list book.

76. The Sheriff may preside at any polling place without taking an additional oath, and the clerk who shall have been sworn the day of the opening of the election, may assist the Sheriff or other presiding officer at the poll taken at the County Court House, or in any other proceeding in the election, until the final close of the poll and return, without taking any other oath. 52 V., c. 3, s. 66.

Sheriff presiding at polling place.

77. Each elector shall be entitled to vote only at the polling station of the polling district upon the list of voters for which his name is entered as such voter, and at no other. 3 Edw.VII., c. 30, s. 5, *part*.

What polling station electors may vote at.

78. The returning officer, on the request of any elector entitled to vote at one of the polling stations, who is appointed deputy returning officer, or poll clerk, or who is named the agent of any of the candidates for a polling station other than the one where he is entitled to vote, shall give to such elector a certificate that such deputy returning officer, poll clerk or agent is entitled to vote at such election at the polling station where such elector is stationed during the polling day, and on the production of such certificate, such deputy returning officer, poll clerk or agent, shall have the right to vote at the polling station where he is placed during the polling day, instead of at the polling station of the polling district where he would otherwise have been entitled to vote; but no such certificate shall entitle any such elector to vote at any such polling station unless he has been actually engaged as such deputy returning officer, poll clerk or agent during the day of polling. 3 Edw. VII., c. 30, s. 5, *part*.

Deputy returning officers, clerks and agents may vote at polling places where they are employed.

79. Before any vote is taken, the presiding officer and clerk shall open the ballot box, and in the presence of the candidates, their agents, and the electors then present, openly and publicly examine the same, and ascertain that it is empty. 52 V., c. 3, s. 68.

Presiding officer or clerk to show box empty.

80. Before any elector be permitted to vote, he shall state his name and residence; the clerk shall, under the direction of the presiding officer, enter his name on the check list, and the presiding officer must find it on the copy of the voters' list, mark it, and be satisfied that his vote is single, and deposit the same in the ballot box without reading it. Every ballot shall have the names of the persons voted for written or printed on white paper. The officer presiding at any poll shall state the names of the candidates to any elector requiring it, who is about to vote. 52 V., c. 3, s. 71.

Proceedings at poll of vote.

81. The names of all or any number of candidates at an election may be written or printed upon the ballot paper, and the voter shall mark through or strike out the names of all except the name of the candidate or names of the candidates for whom he wishes to vote, and the ballot so marked, if otherwise good and valid, shall be counted. If there are more names not marked through or struck out than there are Members to be elected, the ballot shall not be counted. 52 V., c. 3, s. 72.

Ballot paper.

Mode of marking by voter.

When ballot not to be counted.

Oaths by voters.

82. Every elector, before he shall be admitted to vote, shall if required by the presiding officer, candidate, or his agent, or an elector, take the oaths following, or either of them, to be administered to him by the presiding officer, that is to say:—

"I, A. B., do swear that I am qualified to vote at this election, that I reside at , that I am the person named and intended in the voters' list, and that I have not given my vote before at this election—So help me God."

"I, A. B., do swear that I have not received, by myself or another, or any person in trust for me, or to my use, directly or indirectly, any sum of money, office, place or employment, gift or reward, or any promise or security for any money, office, or employment or gift, in order to give my vote at this election—So help me God." 52 V., c. 3, s. 73.

Penalty on neglect or refusal to administer oath.

83. Every Sheriff or presiding officer who shall, on request, neglect or refuse to administer either of the said oaths, shall, for every such neglect or refusal, forfeit the sum of two hundred dollars. 52 V., c. 3, s. 74.

Personation. Voter voting more than once. Penalty and recovery.

84. If any person shall fraudulently vote at any election, by personating any elector, or being qualified, shall vote more than once at any election, he shall for every such act of personation, and for every case in which he shall vote more than once, as aforesaid, forfeit the sum of forty dollars, and it shall be the duty of the Sheriff to prosecute therefor. 52 V., c. 3, s. 75.

Provisions in case of death, &c., of returning officer, &c.

Provisions in case of absence at poll of presiding officer and clerk.

85. If the Sheriff dies at any time after issuing the notice for the election, and before the termination thereof, his deputy shall finish the election; and if any presiding officer die, or become incapacitated from sickness, or do not perform the duty, the poll clerk shall act in his stead, appoint his poll clerk, and finish the election. If the poll clerk become incapacitated, or do not perform the duty, the presiding officer may appoint another. If neither presiding officer nor poll clerk attend the poll, the senior justice present, or if none, a majority of electors present, may appoint a presiding officer and poll clerk. The new officer shall before entering upon his duties, take the oath required to be taken by a person in his capacity, and proceed in all respects as if he had been duly appointed by the Sheriff, and make his return to the Sheriff, who shall include the votes in his return, and such officer shall keep a special account of his doings at such polling district, and shall append the same to his return. 52 V., c. 3, s. 76.

Provisions in addition to s. 78 for voting by presiding officers, &c.

86. Presiding officers, poll clerks, candidates and their agents may poll their votes in the polling sub-district where they are acting, though they do not reside therein, if on the day of nomination their names are certified and entered as qualified by the Sheriff in the book containing the check list, and the Sheriff shall strike such names out of the list of the polling district in which they are qualified to vote; if the presiding officer vote, the poll clerk shall examine his ballot and administer the necessary oath to him if required. 52 V., c. 3, s. 77.

Counting of votes.

Check list.

Announcement of result.

Certificate of result.

87. At the close of the poll in the different polling districts, the presiding officer in each district shall publicly, and in the presence of the candidates, their agents or nominees, open the ballot box and count the ballots therein deposited, and the poll clerk shall, under the supervision and direction of the presiding officer then and there make a check list thereof, and the presiding officer shall openly and publicly declare the number of votes which each candidate has received at such polling district, and the presiding officer and the poll clerk shall make out and subscribe then and there, in the presence of the said candidates, their agents or nominees, the said check list, and a written statement or declaration of the result of such poll, in the following form:—

Ballot paper account.

RETURN of the Election for the County of , held at the Parish of , this day of , 19 .

Ballots as counted.	A	B	C	D	E	F
No. 1	1	1		1		1
2	1		1		1	1
3	1	1		1	1	
4		1	1	1		
5	1	1	1	1		
6	1	1	1	1		
7	1				1	1
8	1		1	1		1
9	1		1	1	1	
10	1	1	1	1		
Total ... 10	9	6	7	8	4	4

Ballots destroyed and not counted.

5 double.

3 more names than authorised (specifying any other cause for destruction of ballots).

To which check list, and statement or declaration, the said candidates, agents, or nominees, may, if they so desire it, affix their names; and the said poll clerk shall then and there enclose the said copy of voters' list furnished him as aforesaid, the said check list, and written statement or declaration, as in the form, in an enclosure or envelope, and seal the same up and publicly deliver it to the presiding officer, so enclosed and sealed, who shall give a receipt therefor, and such presiding officer shall forthwith deliver or transmit the same to the Sheriff, who shall receive and safely keep the same unopened until the reassembly of the court at the Court House on the day to which it had been adjourned; and the poll clerk shall,

Sealing up return.

Transmission to returning officer.

after enclosing and sealing up such voters' list, check list, and statement or declaration as aforesaid, forthwith publicly destroy, in the presence of the said candidates, their agents or nominees, the ballots deposited at the said polling place. 52 V., c. 3, s. 78.

Destruction of ballots.

88. If in counting the ballots the names of other persons than the candidates, or more persons than can be elected, are found on any ballot, or if any ballot should be found not to be single the poll clerk shall forthwith then and there, publicly destroy the same, and no double ballot shall be counted. 52 V., c. 3, s. 79.

Ballots which are not to be counted.

89. If on the day to which the Court has been adjourned all the returns shall not have been made, the Sheriff shall further adjourn the Court to the following day, and so on from day to day until all the returns are made; he shall also publicly state the cause of the adjournment, and in no case shall he adjourn the Court to so late a day as to interfere with the return of the writ. 52 V., c. 3, s. 80.

Adjournment of Court by returning officer.

90. On the day to which the court has been adjourned the Sheriff shall publicly break the seals of the envelopes enclosing the voters' lists, check lists, and written statements or declarations sent him as aforesaid; shall open the said lists or statements or declarations, and separately announce the votes given to each candidate at each polling district; shall add up from all the said lists, statements or declarations, the total number of votes so given to each candidate as aforesaid; shall ascertain and declare the state of the poll, make proclamation of the members chosen, and that the court is adjourned without delay, and forthwith return the writ to the Provincial Secretary, together with a written statement showing the number of votes polled for each candidate at such election in each of the several polling booths in said county, with the total state of the poll (which return shall be by the said Provincial Secretary laid before the Legislature at the session thereof next following thereafter), and file the poll books, voters' lists and check lists with the county secretary. 53 V., c. 3, s. 81; 62 V., c. 24, s. 6.

Declaration proceedings

Return to be made to Provincial Secretary.

Poll books, etc., to be filed.

91. If the presiding officer shall not have returned his precept, and the ballot box, check list, copy of voters' list and written statement, at the proper time, the Sheriff, or a candidate, or any elector, may make complaint thereof on oath to a justice, who shall summon him to answer the same, and if he shall not show good cause for the delay, the justice may by warrant shortly reciting the facts, commit him to gaol until he duly return the precept, ballot box, check list, copy of voters' list, and written statement as aforesaid. 52 V., c. 3, s. 82.

Failure of presiding officer to make return.

Enforcement of duties.

92. Any Sheriff who shall make a false return, or return more members than are required by the writ to be chosen, shall forfeit for every such false or incorrect return the sum of four hundred dollars, and the party aggrieved may also recover the damages he shall sustain thereby, with costs against him or any person who shall knowingly procure the same. 52 V., c. 3, s. 83.

False return by returning officer.

93. No election shall be held on Sunday, Christmas Day, or Good Friday; and when, by the regular adjournment of any proceeding, or when anything is required to be done at a particular day, and it should fall on or be adjourned to either of the said days, then such proceeding shall stand adjourned to, and such things shall be done, on the first day following Christmas Day, Sunday, or Good Friday. 52 V., c. 3, s. 84.

Poll not to be held on Sunday, &c. Where time limited falls on Sunday, &c., act to be done on day following.

94. The following, being section 49 of the Acts of Assembly, 18th Victoria, chapter 37, is unrepealed, which section is as follows:—"The Sheriff at his court, or when presiding at any poll, and the presiding officer, shall be, during any of the days of proceeding in the election or the polling, conservators of the peace and vested with the same powers for the preservation of the peace and the apprehension and committal for trial or holding to bail, or trying and convicting violators of the law and good order, as are vested in justices; and for the purposes of keeping the peace and preserving good order at any election, the Sheriff or presiding officer may require the assistance of all persons present to assist him, and may commit any person for breach of the peace, molesting or threatening any elector at or coming to or returning from said election or polling, or for any violation of good order, to the custody of any person on view, for any term not exceeding twelve hours; or may, by a writing under his hand, commit to prison for a like offence for a period not beyond the second day thereafter, and at the expiration thereof may cause the offender to be brought before a justice, who shall inquire into the matter, and may fine the offender in a sum not exceeding eight dollars and costs, and commit him to gaol until the fine be paid; and all persons present are enjoined to assist the officer presiding and justices in discharge of such duties, under pain of being guilty of a misdemeanour; and justices residing in the district, upon being notified in writing by the Sheriff or presiding officer, shall attend to aid in preserving peace and order; and the justices, Sheriff or presiding officer may, when considered necessary, swear in special constables to act as peace officers, and assist in maintaining peace and order, and upon the written application of a candidate or his agent, or two electors, the Sheriff or presiding officer shall swear in such special constables." 52 V., c. 3, s. 85. *See* The Criminal Code, 1892, s. 263 (E), and 49 V., c. 4, s. 5, Sched. A. (D).

Preservation of the peace at elections. Returning and presiding officers to be conservators of the peace. Persons present may be required to aid in keeping the peace. Committal to custody of persons disturbing the peace. Conviction before justice. Duty of persons present and of justices to aid in keeping peace. Special constables to be sworn in to act as peace officers.

95. Any Sheriff holding an election shall be entitled to receive the following amounts, viz.:—

Fees and expenses of returning officer.

For his services in conducting an election, the sum of forty dollars;
For all reasonable and necessary printing as shall be by him actually paid;
For furnishing copies of all voters' lists required by law, ten cents per folio;
For preparing each poll book, the sum of seventy-five cents;
For each booth or polling place, such reasonable sum as is actually paid therefor;
For each constable, not to exceed two at any one polling place, the sum of one dollar and fifty cents each;

For every presiding officer, six dollars, and mileage at the rate of ten cents per mile; each poll and sheriff's clerk, four dollars;

For necessary travelling to post notices, the sum of ten cents per mile, mileage only allowed one way.

Provision as to County of Charlotte.

In the County of Charlotte, the Sheriff of the county shall be entitled to receive such extra sum, not exceeding twenty dollars, as may be paid by him for expenses of posting notices on the Island of Grand Manan. 52 V., c. 3, s. 86.

Affidavit with returning officer's account.

96. Every Sheriff's account for holding such elections shall be accompanied by an affidavit of such Sheriff in the following form, viz.:—

"I, A. B., Sheriff of the County of , make oath and say that the account hereto annexed is just and true, and that all the charges and expenses therein stated have actually and necessarily been incurred.

Sworn to, &c.,
C. D., Justice of the Peace.

A. B., Sheriff."

Justice may administer oath.

The aforegoing affidavit may be made before any justice of the peace, who is hereby empowered to administer the oath to the Sheriff when called upon so to do. 52 V., c. 3, s. 87.

Candidate or agent not liable for entertainment at election.

97. No person shall recover from a candidate or his agent for entertainment, at the request of any of them, to any person at an election, and if upon the trial it shall appear that any part of the plaintiff's claim is for entertainment so furnished he shall be non-suited. 52 V., c. 3, s. 88.

Affirmation in lieu of oath by Quakers.

98. Quakers may affirm in any case where an oath is required. 52 V., c. 3, s. 89.

Bribery or corrupt practices at election prohibited. Penalty.

99. If any elector shall take any money or other reward by way of gift, loan, or other pretence, or contract, or agree therefor, to vote or forbear to vote at any election, or to corrupt or procure any person to give his vote, or shall, by threats or force, intimidate any person to vote or forbear to vote at such election, he shall for every such act forfeit the sum of eighty dollars, and be forever debarred from voting at any election. 52 V., c. 3, s. 90.

Breach of duty by certain officials. Penalty, where no specific penalty provided, and mode of recovery.

100. If any Sheriff, presiding officer, poll clerk, assessor, revisor, county secretary, parish officer, or other person whosoever, appointed or acting under the authority of this Chapter, shall wilfully contravene or disobey any of the provisions of this Chapter with respect to any matter or thing such person is required to do, and for which act or default no specific penalty is provided, he shall be liable to a penalty of four hundred dollars, to be recovered in an action of debt at the suit of a candidate or elector; and the jury may find their verdict for the full sum of four hundred dollars, or any sum not less than eighty dollars, as they think just, and the plaintiff shall have judgment and execution therefor with costs of suit. 52 V., c. 3, s. 91.

Limitation of time within which penalties to be prosecuted for.

Procedure for recovery.

101. Penalties imposed by this Chapter must be prosecuted within four months after the fact of the commission or default, and may be recovered by action of debt in any Court of competent jurisdiction, and the plaintiff may set forth in his declaration that the defendant is indebted to him in the amount of the penalty sought to be recovered, allege the particular act or default for which the action is brought, and that the defendant therein acted contrary to this Chapter, without mentioning the writ for holding the election or the return thereof. 52 V., c. 3, s. 92, *am.*

Appropriation of penalty.

102. The penalty, when recovered, shall be appropriated, one-half to the person who shall sue therefor, and the other half to the treasurer of the county for the use of the county. 52 V., c. 3, s. 93.

Parol evidence of election.

103. On the trial of any action or prosecution for any penalty imposed by this Chapter, or any other proceeding arising out of the election, parol proof of the election shall be sufficient *primâ facie* evidence without producing the writ. 52 V., c. 3, s. 94.

Resignation by Member or Member-elect.

104. Any Member or Member-elect may vacate his seat by a written resignation, signed by him in the presence of two Members or two Members-elect, addressed and delivered to the Provincial Secretary, and the Members or Members-elect witnessing the signature to the resignation shall certify said resignation under their hands to the Provincial Secretary. 52 V., c. 3, s. 95.

Resignation of office of Speaker.

105. The Speaker may vacate the office of Speaker by a declaration to that effect in the House, or by a written resignation, signed in the presence of and certified by two Members to the Provincial Secretary. 52 V., c. 3, s. 96.

Election where vacancy by death, resignation, or otherwise.

106. In case of a vacancy by death, resignation, or otherwise, of a Member or Member-elect, the Clerk of the Crown in Chancery, upon being certified thereof in writing by two Members or two Members-elect, shall issue his writ for the election to fill such vacancy. 52 V., c. 3, s. 97, *am.*

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Cap. III.

An Act in further amendment of "The New Brunswick Elections Act of 1889."

Sec.
1. Candidates' agents; number of; proviso.
2, 3. Manner of voting.
4. Envelopes, etc., to be furnished to deputy returning officers.
5. Printed ballots may be deposited in polling booths; description of ballot papers.
6. Illiterate persons; manner of voting; oath.

7. Loitering in polling booth forbidden.
8. Taking of official envelopes from booth forbidden; penalty.
9. Personated voter may vote again; proceedings thereupon.
10. When voter may obtain a second official envelope.
11. Agents to take oath of secrecy.
12. Officers, etc., to assist in maintaining secrecy of ballot.
13. What votes shall not be counted.
14. Aliens to produce naturalization papers.
15. Sec. 78 New Brunswick Elections Act amended.
16. Acts repealed.

Passed 20th April, 1904.

Be it enacted by the Lieutenant-Governor and Legislative Assembly as follows:—

1. In addition to the deputy returning officer and the poll clerk, the candidates and their agents, not exceeding one in number for each candidate in each polling station, and in the absence of agents, one elector to represent each candidate, on the request of said elector, and no others shall be permitted to remain in the room during the time the poll remains open; provided always, that any agent bearing a written authorization from the candidate shall always be entitled to represent such candidate in preference to and to the exclusion of any elector who might also claim the right to represent such candidate; and further provided, that in any election when the number of candidates nominated does not exceed two, the deputy returning officer may, upon request of either candidate or his agent, allow of the appointment of two agents for each candidate.

2. Not more than one elector shall at any one time enter the room where the poll is held, and such elector, upon so entering, shall declare his name, surname and addition, and if the name of such elector is found on the list of voters, he shall receive from the deputy returning officer an envelope on the back of which said deputy returning officer shall write in black ink his initials in the presence of the voter.

3. The elector on receiving the envelope shall forthwith proceed into a compartment of the polling station, which compartment shall be screened off so that the voter shall be wholly concealed from the rest of the room, and shall there place his ballot paper in the envelope previously handed to him by the deputy returning officer, and shall then hand it unsealed to the deputy returning officer, who shall ascertain, by examining his initials that it is the same which he furnished the elector, and shall then immediately, and in presence of the elector, place the envelope containing such ballot paper in the ballot box. The clerk shall, under the direction of the presiding officer then enter the name of such elector on the check list.

4. On the poll being granted, the returning officer shall furnish each deputy returning officer at least two days before the polling day, with a sufficient number of envelopes with ungummed flaps, all being of the same description, to supply the number of voters on the list of such polling district, and shall also furnish each deputy returning officer with the necessary materials for voters to write their ballot papers.

5. The agent of each candidate shall have the right to deposit in the separated compartment of the polling booth, printed ballots bearing the names of the candidate or candidates; such ballots shall be printed on white paper, in black letters only, and no ballot shall be counted by the returning officer at the close of the poll unless the same is so printed, or unless the ballot is a piece of white paper having the names or surnames of the candidates written therein in black ink or with black lead pencil; provided always, that no ballot shall be rejected by the returning officer by reason of the names being partly printed and partly written thereon, or by reason of a name or names having been marked through or struck out.

6. The deputy returning officer, upon application of any voter who is unable to read or write, or is incapacitated by blindness or physical causes from voting in the manner prescribed by this Act, shall assist such voter by placing in the envelope the ballot paper containing the names of the candidates for whom said voter declares his intention of voting, in the presence of the sworn agents of the candidates, or of the sworn electors representing them in the polling station, and of no other; and the deputy returning officer shall require the voter making such application, before voting, to make oath of his incapacity to vote without such assistance in the following form, that is to say:

> "I solemnly swear that I am unable to read and to understand the ballot papers," or "that I am incapacitated by physical causes (as the case may be) from voting without the assistance of the deputy returning officer."

7. Every elector shall vote without undue delay, and shall quit the polling station as soon as the envelope containing his ballot has been deposited in the ballot box.

8. Every elector who takes an official envelope out of the polling station shall incur a penalty of two hundred dollars ($200.00).

9. (1.) If a person representing himself to be a particular elector named on the list of voters applies for an envelope after any person has voted as such elector, the applicant, upon taking the oath in the form "A" in the schedule hereto annexed, and after establishing his identity to the satisfaction of the deputy returning officer, shall be entitled to receive an envelope upon which the deputy returning officer shall put his initials, and he shall thereupon be entitled to vote as such elector.

(2.) The name of such voter shall be entered in the poll book, and a note shall be made by the deputy returning officer of his having voted, on a second envelope being issued under the same name and upon the oath of qualification in the form "A" in the schedule hereto annexed having been required and made, as well as of any objections being made on behalf of any and which of the candidates.

10. A voter who has inadvertently dealt with the envelope given him in such manner that it cannot be conveniently used may, on delivering the same to the deputy returning officer, obtain another envelope in the place of the one delivered up.

11. The agent of each candidate, and in the absence of such agent, the elector representing each candidate, on being admitted to the polling station, shall take the oath to keep secret the names of the candidates for whom any of the voters has deposited his ballot in his presence, which oath shall be in the form "B" in the schedule hereto.

12. Every officer, clerk and agent in attendance at the counting of the votes shall maintain and aid in maintaining a secrecy of the vote; and no such officer, clerk or agent shall attempt to obtain at such counting any information, or communicate any information obtained at such counting, as to the candidate for whom any vote is given in any particular ballot paper.

13. The deputy returning officer shall not count any ballot contained in an envelope, if on opening it at the close of the poll it is found to contain more than one ballot paper.

14. Any naturalized alien wishing to vote at any election shall, if required so to do by the agent of any candidate, produce his naturalization papers for inspection by the deputy returning officer and the agents of the different candidates, and, if objection be made by the agent of any candidate, said naturalized alien shall not be allowed to vote, unless it is made to appear by oath of such alien to the satisfaction of the deputy returning officer that he is the person named in such naturalization papers.

15. Section 78 of "The New Brunswick Elections Act of 1889" is hereby amended by striking out the form of return given therein and inserting in lieu thereof the following:

Return of the election for the County of held at the Parish (or town) of this day of A.D. 19 .

A	
B	
C	
D	
E	
F	
G	

16. All parts of "The New Brunswick Elections Act of 1889," and of all other Acts that may be inconsistent herewith are hereby repealed in so far as the same may be inconsistent.

SCHEDULE.

"A."

I solemnly swear that I am A.B. of (as on the list of voters) whose name is entered on the list of voters now shown me. So help me God.

SCHEDULE.

"B."

I, the undersigned G.H., agent for (or elector representing J.K.) one of the candidates in the election now pending for the electoral district of , solemnly swear that I will keep secret the names of the candidates for whom any of the voters at the polling station in the District No. deposits his ballot in my presence at this election. So help me God.

Signed before me at this day of A.D. 19 .

A.B., Returning officer. } G.H.

CAP. IV.

AN ACT to amend Chapter 3 of the Consolidated Statutes, 1903, relating to elections, and to legalize certain electoral lists.

Sec.
1. Lists valid if signed by two revisors only; proviso.
2. Former lists so signed made valid.

Be it enacted by the Lieutenant-Governor and Legislative Assembly as follows:—

1. Notwithstanding anything contained in Chapter 3 of the Consolidated Statutes, 1903, relating to the signing of lists by the Revisors, the list required by section 43 of the said Chapter

to be made and deposited with the County Secretary shall be valid if signed by two of the Revisors only, providing that one of them shall be the chairman.

2. Whereas, by inadvertence, neglect or absence on the part of some Revisors in the year 1903, there are cases wherein only two of the Revisors have signed the electoral list required to be filed with the County Secretary under section 36 of the Act 52 Victoria, Chapter 3, and it is advisable to make legal and valid such lists;

Be it therefore enacted that any lists so returned, although only signed by two of the Revisors, shall be as legal and valid as though signed by the three Revisors.

PRINCE EDWARD ISLAND.

Charlottetown, Prince Edward Island,
April 24, 1906.

Sir,

In reply to your communication of to-day's date, asking for certain information for transmission to Lord Elgin respecting machinery and cost of contested elections in this Province, I beg to submit the following particulars:—

The mode of conducting elections of members to serve in the Legislative Assembly of the Province of Prince Edward Island will be found in the Provincial Statutes 56 Vic., Caps. I. and III., and amendments, copies of which are transmitted herewith.

Population of the Province	103,250
Number of representatives	30
Number of electoral districts	15
Number of polling places	151

Cost of Provincial general elections, which is borne by the Provincial Government, is about $3,000.

For partial elections for one member from $150 to $200 according to extent of district. Taking a number of years cost of general and partial elections average about $1,000 per annum.

Fees allowed to Returning Officers and election officials, &c., are detailed at page 49 of the Act 56 Vic., Cap. I.

I have, &c.,
ARTHUR NEWBERY,
Assistant Provincial Secretary.

His Honour
The Lieutenant-Governor,
Charlottetown, Prince Edward Island.

ANNO QUINQUAGESIMO SEXTO VICTORIÆ REGINÆ.

W. W. Sullivan, Administrator. Benj. Rogers, President of Legislative Assembly. B. D. Maclellan, Speaker House of Assembly.

At the General Assembly of Her Majesty's Province of Prince Edward Island, begun and holden at Charlottetown, on the Eighth day of March, Anno Domini, 1893, in the fifty-sixth year of the reign of our Sovereign Lady Victoria, by the Grace of God, of Great Britain and Ireland, Queen, Defender of the Faith;

Being the fourth Session of the thirty-first General Assembly convened in the said Province.

Cap. I.

An Act respecting the Legislature.

[Assented to 20th April, 1893.]

* * * * * * * * * *

Returning Officers.

Person to whom writ is addressed shall be returning officer.

33. Every writ for the election of a member or members of the Assembly shall be addressed to the Sheriff of the County wherein the electoral district for which the writ is issued lies, or to any other person appointed by the Lieutenant-Governor in Council, and the person so appointed shall be the returning officer at the election.

In case of refusal, incapacity, &c.

34. In case the person to whom the writ has been addressed should refuse to act, or should be absent, or should be incapacitated, or unable from sickness or any other cause to act as returning officer, the Lieutenant-Governor may appoint some other person as returning officer.

Proceedings at Elections.

Issue of the Writ.

Prov. Secretary to issue writ for election.

35. Every writ of election for the election of a member or members to serve to the Assembly of this Province shall be issued by the Provincial Secretary, and shall be addressed and directed to the Sheriff of the County wherein the electoral district for which the same is issued shall be situated, or to the person appointed as hereinbefore enacted.

Nomination Day.

36. At the next General Election and whenever a new Assembly is called and a general election is to be held for that purpose, or in the case of a partial election, the Lieutenant-Governor in Council shall appoint the day for holding the returning officers' court for commencing the election, and the same shall be stated in the writ, and the day so appointed shall be called "Nomination Day."

Forty days necessary between teste and return of writ.

37. There shall be at least forty days between the teste and the return of all writs of election, and in the case of a general election or of a partial election where more than one writ shall be issued as aforesaid, they shall be tested on the same day.

Nomination day to be sufficient time after teste to give ten days' notice of same.

38. The nomination day shall be a sufficient time after the teste of the writ to enable the returning officer to give at least ten days' notice of the day so appointed therefor.

All nominations on same day. Polling on same day.

39. The nomination day at every general election or in case of a partial election, where more than one writ shall be issued at the same time shall be held on one and the same day, and the polling at all such elections where polls have been demanded and granted shall also take place on one and the same day.

Polling to be one week after nomination.

40. Whenever a poll has been demanded and granted the polling shall in all cases take place on the same day of the week as nomination day, and within the week next following nomination day.

Proceedings on the Receipt of the Writ.

Returning officer to endorse writ on receipt thereof.

41. The returning officer shall immediately on receiving the writ of election endorse thereon the date of its receipt.

Proclamation of Nomination Day.

Notices to be posted in each electoral division.

42. Every returning officer, forthwith, after the receipt of the writ of election for an electoral district, shall cause public notices in writing, or by printed handbills, to be posted in some of the most public places within each electoral division of the electoral district, which notice shall state:—

Dayappointed for nomination.

(1.) The day appointed for nomination day, when he will hold his court at the Supreme Court House of his County;

Time of polling.

(2.) The time and place or places within each electoral division at which the poll or polls will be taken in case a poll be demanded at such court;

Number of members to be elected, Councillor or Assembly man.

(3.) The number of members required to be elected for the electoral district under or by virtue of the said writ of election, and shall also state that one member is to be elected as Councillor and the other as Assembly man, and if only one is to be elected, shall state whether he is to be elected as Councillor or Assembly man.

Notice to be posted describing electors' qualifications and penalty for illegal voting.

43. The returning officer shall at the time of the posting of the notices, in the next preceding section mentioned, post up other notices or advertisements describing in substance the qualifications that are required of electors by this Act, the penalty for voting or attempting to vote improperly more than once at such election, and for voting under a false or fictitious name, or for voting without being qualified, which advertisements shall be in the form (A) in schedule one to this Act and such advertisements shall be posted up at not less than five conspicuous places within three hundred yards of the respective places in each electoral division appointed for taking the polls.

When returning officer may subdivide electoral divisions.

44. The returning officer shall ascertain as nearly as may be the number or probable number of voters in each electoral division in each electoral district, and where any electoral division contains more than three hundred voters, he may subdivide the said electoral divisions into polling districts, in a convenient manner, so that there shall be at least one polling district for every two hundred voters; he shall also fix a polling place in a convenient and central place in each electoral division and polling district respectively, and he may in his discretion grant such additional polling places in any electoral division or polling district as the extent of the division or district and the remoteness of any body of its voters from the polling place may render necessary, although the voters thereof may be less than the number above specified. The polling place shall be fixed with reference to the number of voters who are qualified to vote for an Assembly man.

Election Clerks.

Appointment of Election Clerk.

45. Every returning officer shall before the nomination day, appoint by a commission under his hand, in the words or to the effect of form (B) in schedule one to this Act a fit person to be his election clerk to assist him in the performance of his duties as returning officer.

To be sworn.

46. The election clerk, before acting as such, shall take and subscribe the oath presented in form (C) in schedule one to this Act either before the returning officer or a Justice of the Peace, who shall give him a certificate thereof in the form (D) in the schedule.

47. If the election clerk dies, or is prevented from performing his duties through sickness, absence or other cause, or if he refuses to accept such office, or neglects to perform the duties of the same, the returning officer may either before, on or after the nomination day, appoint in the same manner another competent person to be his election clerk. The new election clerk, so appointed, shall be bound to perform all the obligations of such office under the same penalties as the former in case of a refusal or neglect.

If clerk dies or refuses to act, &c., new one to be appointed, New clerk under same obligations.

48. Whenever the returning officer is incompetent, becomes unable to perform the duties of his office or refuses to discharge the same, and has not been replaced by another person, the election clerk shall perform the duties of such returning officer for the election as if he had been duly appointed to that office, and shall perform all the obligations thereof under the same penalties as those prescribed in relation to the returning officer, and this without being bound to take any further oath.

If returning officer incompetent, &c., election clerk to act.

Proceedings on Nomination Day.

49. On the day so appointed for nomination day the returning officer shall open his court in the Supreme Court House of the county, between the hours of ten and twelve o'clock in the forenoon, and shall proceed to read the writ for the election, and shall immediately thereafter take and subscribe the following oath:—

Returning officers' duty on nomination day.

I, A.B., do swear that I have not directly or indirectly received, and will not directly or indirectly receive, any sum of money, office, place or employment, bond, bill or note gratuity, reward or benefit whatever, either by myself or any other person, to my use, benefit or advantage, for appointing or having appointed any presiding officer to take the poll of any election clerk or poll clerk for making any return at the present election or elections, and that I will make all such appointments faithfully and impartially, and will according to my best judgment in all things to be done by me as returning officer, or under me, act fairly and impartially and in all things conform to the provisions of the law according to the best of my judgment and ability, in said election or elections,

Oath of returning officer on nomination day.

So help me God.

Sworn before me at in County, }
this A.D. 19 . }
C.D., } A. B.
J.P. for County. }

50. Such oath may be administered by any Justice of the Peace or any two freeholders of the county.

By whom administered.

51. The returning officer shall make and subscribe, annex to and return with each writ of election received by him, an oath in the form aforesaid.

Oath to be annexed to and returned with writ.

52. In case the returning officer, from unforeseen delay, accident or otherwise, does not open the election court on nomination day until after the hour of twelve o'clock, noon, the election shall not on that account be held invalid by any tribunal having cognizance of the question, unless it appears that the delay affected the result of the election.

Unforeseen delay in opening election court on nomination day.

53. The returning officer's court on nomination day shall continue open until the hour of four o'clock in the afternoon, and as soon after said hour as the duties then remaining to be performed will permit, the same shall be closed, or adjourned to another day, as the case may require.

Nomination to remain open till 4 p.m. &c.

54. The returning officer shall at such court receive the name of every person who shall then be proposed and seconded as a candidate for any electoral district, by two or more electors of the electoral district, at any time previous to the hour of four o'clock in the afternoon, and the name of every such candidate shall be entered by the election clerk, under the direction of the returning officer, in a book to be provided for that purpose, and such candidate or some one on his behalf shall state whether he intends to run for election as a Councillor or as an Assembly man, which statement shall also be entered by the election clerk under the direction of the returning officer in the said book. The proposer and seconder of every candidate shall be persons qualified to vote for said candidate at the said election, and no person shall be nominated for election both for Councillor and Assembly man at the same election for one district.

Reception and record of names of candidates for Councillors or Assembly men. Proposer and seconder to be qualified voters. Candidate to be nominated for either Councillor or Assembly man and not both.

55. No candidate's name shall be received or entered after the said hour of four o'clock on that day, and at or immediately after the said hour the returning officer shall proclaim the names of the candidate or candidates proposed and seconded as aforesaid for election, in pursuance of the writ or writs in virtue of which the said election or elections is or are then and there held, with a statement showing separately the names of those who are candidates for election as Councillors and Assembly men respectively, and shall administer and receive as hereinafter directed, the qualification oath on the part of any candidate or candidates whose qualification may be questioned, and who shall not at such court have previously qualified in manner hereinafter mentioned.

No names received after four o'clock. Proclamation of names of candidates. Qualification oath.

56. If at any such court there shall be nominated only one candidate for election as a Councillor in any electoral district, it shall be the duty of the returning officer at the time hereinbefore limited for closing the said court to declare and proclaim such candidate duly elected to serve as a Councillor in the Assembly. And if at any such court there shall be nominated only one candidate for election as an Assembly man in any electoral district it shall be the duty of the returning officer at the time hereinbefore limited for closing the said court to declare and proclaim such candidate duly elected to serve as a member of the Assembly as an Assembly man.

If only one name proposed for Councillor returning officer to declare him elected. Same procedure if only one candidate for Assembly man.

Mode of procedure when poll demanded.

57. If more than the required number of candidates' names have been received, either for Councillors or Assembly men, and a poll or polls shall have been demanded as hereinafter provided, the returning officer shall then and there grant the same and make proclamation of the time and place at which the same shall be held respectively, in conformity with the notice thereof hereinbefore required to be conditionally given, and in accordance with the provisions of this Act, and shall thereupon adjourn the said court as to such election or elections in which a poll has been demanded, to some day within sixteen days and not less than eleven days' next after the day notified for holding the said poll or polls respectively.

Candidate proposed if present, to take prescribed oath.

58. Every candidate proposed as aforesaid, if present, shall before the said court be determined or adjourned, take the oath form (E) in schedule one to this Act before the returning officer.

Procedure when candidate absent.

59. If a candidate is not present a deposition in writing in the form hereinbefore prescribed shall be then and there produced to the returning officer, signed by such candidate, and by him duly sworn to before one of the Justices of the Supreme Court or a Justice of the Peace, or before the returning officer, or otherwise a deposition form (F) in schedule one to this Act subscribed by such agent, and sworn before one the Justices of the Supreme Court or a Justice of the Peace or the returning officer.

If qualification not duly delivered in time, candidate's name to be expunged.

60. If the qualification of any candidate shall not before the close or adjournment of the said court be verified as hereinbefore directed, such candidate shall be incapable to be elected at such court or to be returned as aforesaid; nor shall the name of such candidate be entered or recorded in the poll book as aforesaid, or if so entered the same shall be expunged at or before the close or adjournment of such court as aforesaid.

Places for holding polls.

61. At every election at which a poll has been duly demanded and granted as aforesaid, a poll shall be opened and held in and for every electoral division and polling district into which the electoral district is divided, at or near the place appointed for that purpose by the returning officer, under the provisions of this Act, and the poll shall open and close in all the electoral divisions of the electoral districts at the following hours, that is to say: Between the first day of April and the first day of October, both days inclusive, the polls shall be opened between the hours of eight and nine of the clock in forenoon, and shall not be kept open later than seven of the clock in the afternoon; and between the first day of October and the first day of April the polls shall be opened between the hours of nine and ten of the clock in the forenoon, and shall not be kept open later than five o'clock in the afternoon.

Time for opening and closing polls.

Polling booths to be provided.

62. The returning officer shall prior to the polling, cause to be erected temporary booths, or procure some house or other building at or near the respective places appointed for taking the poll as such returning officer shall from time to time deem necessary for taking the poll.

Presiding Officers.

Appointment of presiding officer.

63. At every election at which a poll has been demanded and granted as aforesaid, the returning officer shall by precept or warrant, under his hand, appoint a presiding officer to preside at and take the poll in each electoral division or polling district within the electoral district, and shall thereby direct such presiding officer at the time and place appointed to take the poll within such electoral division or polling district, and to return his proceedings to the returning officer without delay: Provided that nothing herein shall prevent the returning officer from presiding in person in an electoral division or polling district.

Returning officer may preside in person.

Proceedings of presiding officer at opening of poll.

64. Every presiding officer shall, at the opening of the poll, read aloud his warrant from the returning officer for taking the poll, and shall declare the names of the candidates for election as Councillors and Assembly men, respectively, and shall also, before or at the opening of the poll, and before receiving any votes, take and subscribe the oath, form (G), in schedule one to this Act which oath the returning officer or any Justice of the Peace for the county where such election shall be held, or any two electors, being freeholders, are hereby authorized and required to administer, and such oath, so taken and subscribed, shall be prefixed to the poll book and form part thereof.

To take oath, &c.

Presiding officer to appoint inspector, clerk, and agent when required.

65. The presiding officer for the electoral division or polling district shall appoint one inspector and one clerk, and also one agent or representative to be nominated by and on behalf of each candidate, who shall require and demand the same; and the name of such inspector, clerk and agent, respectively, shall be entered on the poll book of the presiding officer or his clerk, and each clerk, so appointed, shall take and subscribe the oath, form (H), in schedule one to this Act which the said presiding officer is hereby required to administer.

Poll Clerks.

Appointment of poll clerk.

66. The returning officer shall appoint by commission under his hand in the form (I) in schedule one to this Act a competent person to act as poll clerk for each electoral division and polling district in the electoral district, to assist the presiding officer in the performance of his duties.

To be sworn, &c.

67. Every poll clerk before acting as such shall take and subscribe either before the returning officer or presiding officer for the polling place, or before any Justice of the Peace the oath prescribed in form (J) in schedule one to this Act which oath shall be prefixed to the poll book, and form part thereof.

If poll clerk dies or refuses, &c., another to be appointed.

68. If the poll clerk dies or is prevented from executing his office by illness, absence or other cause, or refuses to accept such office or neglects to discharge the duties thereof, the presiding officer shall appoint another competent person to act as poll clerk.

Same obligations binding on new clerk.

69. The new poll clerk shall take and subscribe the oath in form (J) in schedule one to this Act and shall be bound to discharge all the obligations of such office under the same penalties as the first in case of refusal or neglect.

In case of refusal, &c., of presiding officer to act, returning officer may appoint another.

70. In the event of the presiding officer refusing or neglecting to discharge the duties of his office or becoming unable to do so, the returning officer may appoint another in his place, who shall be required to take the oath and perform the duties of such officer; but if no other presiding officer appointed instead of the former shall present himself at the poll, the poll clerk shall, under the same penalties as those imposed on a presiding officer, act as presiding officer, and fulfil all the duties and obligations thereof in the same manner as if he had been appointed presiding officer without being obliged for such purpose to take any new oath.

Poll clerk to act as presiding officer, when.

Polling clerk acting as presiding officer can appoint another poll clerk.

71. Whenever any poll clerk acts in the case provided for in the next preceding section, he shall have power to appoint by commission, under his hand according to form (K) in schedule one to this Act another person as poll clerk to aid and assist him, and to administer to such person the oath required of a poll clerk under this Act; such poll clerk shall have the same obligations to discharge as if he had been appointed by the returning officer, and shall incur the same penalties in the event of refusal or neglect.

Poll clerk to assist presiding officer.

72. The poll clerk at the poll for which he has been appointed shall be bound to aid and assist the presiding officer; to keep the poll at such place and to obey the orders of such presiding officer in the discharge of his duties.

Duties of poll clerk.

73. The election clerk shall prepare a poll book and enter therein in separate columns, the names of the respective candidates and the necessary information regarding the candidates with their names, and stating which candidate runs for election as Councillor and which for Assembly man, which information the returning officer shall furnish before the opening of the poll to the presiding officer for the electoral division or polling district, and such information shall be by him communicated to any elector of the electoral division who may ask for the same.

The Poll.

Place for voting.

74. The voting at elections shall take place in a room or building of convenient access with a door for the admittance of the voters, and having, if possible, another door through which they may leave after having voted.

Who allowed to be present.

75. In addition to the presiding officer or returning officer and the poll clerk, and one clerk for each candidate, no person other than the candidates and their agents and inspectors respectively, shall be permitted to remain in the room where the votes are given during any part of the time the poll remains open.

Electors to declare their names, &c.

76. Not more than one elector shall be admitted at the same time into the room where the poll is held, and such elector shall declare his name, surname and addition, which shall be at once recorded in a poll book by the poll clerk.

Duties of presiding officer in taking poll.

77. In taking the poll it shall be the duty of the presiding officer to prevent all unnecessary delay, and no person shall be permitted to interrupt the polling by addressing the electors, or by any other means, and for avoiding the needless factious questioning of voters; every person offering to poll shall immediately state for whom he votes, and thereupon the candidate against whom he votes or his inspector or agent may require the presiding officer to put such necessary and pertinent questions as may be proper for ascertaining the proposed voter's right to vote in any of the particulars in which that right may be impugned, and the presiding officer shall allow no other question to be put, nor any other to put such questions except himself, nor shall he permit the candidate or any person on his behalf unnecessarily to protract the time on pretence of questioning a voter; and the presiding officer shall promptly put such questions, and the poll clerk shall instantly put down in writing the purport of the answers given thereto, and read the same aloud, and if any such voter shall not promptly answer such questions and take the elector's oath, if required suited to such elector, the presiding officer shall reject the vote, and if any presiding officer shall allow any other person to interfere or put any question to any voter by which time is taken up, or shall himself put any question contrary to the wish of any candidate or his agent or inspector, or shall in any manner wilfully protract the polling at any election he shall for every such offence forfeit a sum not exceeding thirty-two dollars.

Vote may be questioned.

Poll clerk to put down answers given by voters.

Penalty, &c.

Elector when questioned to describe qualification, &c.

78. Whenever an elector is questioned on behalf of a candidate at an election, such elector, if he claims to vote on account of property, shall truly describe the same, the value thereof, and where it is situated, and if the property for which he claims to vote be held under lease or agreement for a lease by parole or in writing, the annual rent payable for same, and if freehold, or if he claims to vote on the ground of use and occupation or possession thereof, only the estimated yearly value thereof; and if he claims to vote because he is liable to pay the tax imposed by "The Public Roads Act, 1901," or any Act in amendment thereof, or to pay the Civic or Town Poll Tax, or being otherwise so liable, he is exempt by Statute from paying the same. He shall specify all the particulars of his qualification according to the circumstances of the case, which particulars shall be taken down in the poll book and shall be conclusive evidence against such elector; and every candidate against whom the vote is given, or his inspector or agent, may object to such elector, and direct his vote to be marked "objected," and also cause the elector to be sworn and have administered to him the elector's qualification oath applicable to such elector, and the oath against fraudulent conveyances and bribery contained in the forms in schedule "Four" to this Act. (1 Edw. VII., Cap. 4.)

Candidate may cause vote to be marked "objected," and elector to be sworn, &c.

Candidate may cause vote to be marked "objected," without elector being sworn or questioned.

79. The vote of any elector shall be marked "objected" at the request of any candidate, his agent or inspector, if such request be made in the presence of the elector, although he may not have been sworn or questioned respecting his qualification.

Voters under statute labor or Prov. poll tax qualification to produce certificate, &c.

80. (1.) Every person claiming to vote by virtue of his statute labor qualification, or by virtue of his liability to pay Provincial poll tax, shall produce to the presiding officer, if required so to do by him, or by any candidate, his agent or inspector, a receipt or certificate in writing, subscribed with the name of the overseer of statute labor, or the collector of poll tax, respectively,

or other person by law qualified to grant a receipt or certificate for the performance or commutation of statute labor or the payment of the poll tax, by virtue of the performance, commutation or payment of which respectively, the person claims to vote, testifying to the effect that such person has duly performed all such statute labor or paid all such commutation money, or has duly paid all such poll tax as by law he became liable to perform or to pay at any time within twelve months next before the teste of the writ of election; otherwise his vote shall be rejected.

Procedure when road overseer is dead or absent, or certificate lost, &c.

(2.) A person claiming to vote by virtue of his statute labor qualification may do so if otherwise qualified without producing the said certificate, upon making oath before the presiding officer if so required, in addition to any other oath required of him, that he has performed his statute labor or paid the commutation money in lieu thereof by virtue of the performance or payment of which he claims to be entitled to vote, and that he has omitted to obtain, or having obtained, has lost the overseer's certificate therefor, and that at the time of his offering to vote the overseer by law qualified to grant such certificate is dead or absent from the Province.

Persons claiming to vote by virtue of liability to pay civic poll tax, to produce certificate, &c.

81. Every person claiming to vote by reason of his liability to pay civic poll tax, shall produce to the presiding officer, if required so to do by him or by any candidate, his agent or inspector, a receipt or certificate in writing, subscribed with the name of the collector of said tax, or other person legally entitled to receive the same, by virtue of the payment of which the person claims to vote, testifying to the effect that such person has duly paid all such civic poll tax, or in case the same exceeds seventy-five cents then that he has duly paid seventy-five cents thereof, as by law he became liable to pay at any time within twelve months next before the teste of the writ for election; otherwise his vote shall be rejected.

Voter to produce certificate.

(*a*.) And every person claiming to vote by reason of his liability to pay Road Tax, shall produce to the Presiding Officer, if required so to do by him or by any candidate, his agent or inspector, a receipt or certificate in writing, subscribed with the name of the Deputy Receiver of Taxes in the electoral division in which he resides, or in which he paid such tax, or from the Office of the Provincial Secretary-Treasurer, or other person legally entitled to grant the same, by virtue of the payment of which the person claims to vote testifying to the effect that such person has duly paid his Road Tax, which by law he became liable to pay for the year next preceding the date of the teste of the writ of election; or if he shall have attained the age of twenty-one years, since the first day of December next preceding the election, that he has paid his Road Tax for the then current year; otherwise his vote shall be rejected. (1 Edw. VII., Cap. 4.)

When receipt is lost, &c.

(*b*.) In case any person has duly paid his Road Tax and shall have lost his receipt for the same, he may, on application, obtain a duplicate thereof from the Deputy Receiver of Taxes who granted the same, or a certificate from the Provincial Secretary-Treasurer of this Province that such tax has been duly paid, and it shall be the duty of each of the said officers on such application to grant the same. (1 Edw. VII., Cap 4.)

Elector refusing to take oath, his vote shall be rejected.

82. If any elector being thereunto required refuses to take any of the oaths in this Act appointed to be taken, or either of them, or to affirm to the effect thereof, then the vote of such person shall not be taken, and the same is hereby declared null and void, and shall be rejected.

Elector to vote in polling district or division where he resides.

83. Every elector qualified to vote for the electoral district in which he resides shall vote in such district in the electoral division, or in case such electoral division is subdivided, in the polling district thereof in which he resides and not elsewhere.

Non-resident to vote in polling district or division where property is situate.

84. Every elector qualified to vote in an electoral district in which he does not reside, shall vote in the electoral division, or in case the electoral division is subdivided, in the polling district thereof in which the property on which he claims to vote for such electoral district is situate and not elsewhere, unless he votes by special vote as hereinafter provided.

Penalty for voting out of proper division in district.

85. If any person wilfully procures his vote to be polled out of the electoral division or polling district at which it ought to be polled, he shall, for every such offence on conviction, forfeit the sum of sixteen dollars.

Penalty for voting more than once, &c.

86. If any person shall procure his vote to be polled more than once for a Councillor, or more than once for an Assembly man at the same election, for the same electoral district, or shall vote under a false or fictitious name, or personate or vote in the name of any other person, or not being duly qualified to vote, causes his vote to be polled, every such person so offending in either case, as aforesaid, shall for every such offence, on conviction, forfeit a sum of sixteen dollars.

Vote given in wrong polling division or district to be struck out of poll book.

87. Every vote given in an electoral division or polling district wherein the same ought not to have been given, shall be struck out of the poll book and not counted for the party in whose favour the same may have been given: Provided always that in cases where boundary lines between different electoral divisions or polling districts are doubtful, the electoral division or polling district in which the elector is reputed to reside, or in case of a non-resident elector, the electoral division or polling district in which the property on which he votes is reputed to lie, shall be deemed and taken to be the electoral division or polling district in which such elector resides, or in which such property lies respectively for all the purposes of this Act.

Boundaries for purposes of this Act.

88. Where the boundaries of any township or county have been altered, ascertained or established under and by virtue of the provision of the Act of the year of the reign of William the Fourth, chapter fifteen, or of any other law of this Province, such boundaries shall, for all the purposes of this Act, be taken and held to be the only boundaries of such township or county, and all persons shall and are hereby required to vote in their county, township or electoral division as the same are marked out and defined by and in accordance with such boundary lines; and all persons voting out of their county, township or electoral division, as the same are defined,

Penalty for voting out of proper county, &c.

in accordance with such boundaries, shall be subject to all the fines and penalties imposed by this Act on persons voting out of their proper township, county of electoral division, and the votes of such persons shall be expunged and otherwise dealt with as by this Act directed.

Election officers, candidates, agents, &c., to vote in division or district where employed.

89. The returning officer, presiding officers and poll clerks, and each candidate and the inspector, agent and clerk of each candidate, respectively, may severally poll all their votes for the several electoral districts for which they may severally be entitled to vote in the electoral division or polling district in which they may be severally employed in taking or assisting in taking the poll, although the same is not the electoral division in which they reside or their property lies, if they are otherwise qualified to vote: Provided the names of such persons have been previously entered on the poll book as acting in that capacity, and the presiding officer shall make a special return of all votes given under this section for any electoral district in which the electoral division or polling district wherein such officer presides is not included, and any objection to be made to any vote or votes contained in such special return may be made, and such vote or votes marked "objected" on the day on which the same are polled, or before or at the casting up of the votes by the returning officer on the day of the re-opening of his court as hereinafter mentioned; and the returning officer shall afford to any person interested in such vote or votes a fair opportunity of examining the poll books with the view of making such objection or of marking votes objected as aforesaid.

Procedure in such cases.

Duty of presiding officer where undue votes are tendered.

90. Whenever a presiding officer at an election, has reason to know or believe that frauds and violence are being practised in violation of the rights of electors by which undue votes are tendered, or that any voter is not qualified or has already voted at the said election and offers to vote again or tenders his vote under a false name or designation or personates or represents himself falsely as being duly qualified to vote, it shall be the duty of the presiding officer, under a penalty of thirty-two dollars to administer the oath or oaths authorized by this Act, to such voter whether he be required so to do by any party or not, of which mention shall be made in the poll book.

Proceedings After the Close of the Poll.

Presiding officer at close of poll to take and subscribe oath.

91. Every presiding officer shall, after the close of the poll in his electoral division or polling district, and before making his return to the precept for taking such poll, take and subscribe in the poll book the oath form (M) in schedule one to this Act which oath any Justice of the Peace for the county, or any two electors of the district, being freeholders, are hereby authorized and on request required to administer.

Poll clerk to seal and deliver poll book to presiding officer, who will [give] receipt therefor and return same to returning officer.

92. Every poll clerk, after the presiding officer has taken the oath in the last preceding section, shall enclose and seal the poll book and deliver it to the presiding officer at the poll, who will give a receipt therefor and shall forthwith return the same so sealed with his precept to the returning officer.

Penalty on presiding officer neglecting to return or altering poll book.

93. A presiding officer who neglects or delays, before the opening of the returning officer's court on the day to which the same was adjourned for receiving the returns of the polling as aforesaid, to return the poll book to the returning officer together with the precept for holding such poll, or alters such poll book, shall be liable to an action for damages at the suit of any party aggrieved, and shall also forfeit for each and every such offence a sum of one hundred and sixty-two dollars, and shall also forfeit the further sum of sixteen dollars for every day after the said day during which the said poll book, proceedings and return, or either of them shall not be returned and made to the returning officer as herein required, with costs of suit.

Returning officer to keep poll books unopened until re-assembling of court, then to cast up votes and declare state of poll, unless objection be made.

94. The returning officer shall keep the poll books unopened until the re-assembling of his court on the day to which the same has been adjourned, and then he shall openly break the seals thereof and cast up the votes as they appear on the poll books, adding those on the special returns, and shall then openly declare the state of the poll, and if within one hour after votes have been so cast up as aforesaid, no objection be made on the ground of persons having voted in a wrong district, or electoral division or polling district, or more than once as hereinbefore mentioned, he shall forthwith hereafter proclaim the candidates having the majority of the votes as duly elected as Councillor or Assembly man, as the case may be, and make return accordingly.

Proceedings when objection made, &c.

95. If a candidate or two electors being freeholders for the electoral district shall within one hour make objection that a person has polled in a wrong district or electoral division or polling district, or more than once contrary to the provisions of this Act and shall require the returning officer to investigate the objection, the returning officer shall not then proclaim the member chosen but shall adjourn to the next day but one thereafter at ten o'clock in the forenoon, at the same place, and shall then and there proceed and continue from day to day to hear evidence for or against the objections; and if it thereupon clearly appears that a person has polled in a wrong district or electoral division or polling district or more than once contrary to the provisions of this Act, the returning officer shall expunge his vote from the poll book and shall forthwith thereafter having ascertained the correct number of votes, proclaim the candidates having then the majority of votes as duly elected members, as Councillor or Assembly man, as the case may be, and shall return the evidence given on the investigation with his writ to be laid before the Legislative Assembly: but no decision of the returning officer on the investigation shall conclude* any candidate or elector who may petition under the provisions of "The Controverted Elections Act."

Witnesses to be sworn.

96. Witnesses produced on any such investigation shall be sworn by the returning officer.

Penalty for making improper returns.

97. If a returning officer fraudulently expunges a vote from a poll book, or returns any person as duly elected who has not the majority of votes on the poll book, he shall forfeit the sum of six hundred and fifty dollars.

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* *Sic.*

Returning officer authorised to adjourn court in case all poll books, &c., are not duly returned.

98. In all cases where, on account of the non-return in due time of any poll book or precept or other document, the returning officer is not prepared to sum up, ascertain and declare the state of the general poll at an election, he, instead of proceeding to examine such of the returns as have been made, shall further adjourn the court and proceedings in such an election to the following day, and so from day to day, or until such further day, not exceeding three days at any one time, until the said precept and poll books have been all returned: Provided that in proclaiming every such adjournment he shall publicly declare the reason thereof, and provided also that he shall in no case continue such adjournment if the Assembly be in session, or to so late a day as shall interfere with a due return of the writ or writs in time for the then next meeting of the Legislature; but in such cases the returning officer shall proceed to complete the election and return his writ or writs as hereinbefore directed, notwithstanding the deficiency of such returns as aforesaid, and shall in his return to the writ mention such deficiency.

Return may be compelled by proceedings before Judge of Supreme or County Court.

99. It shall be lawful for the returning officer or any candidate or elector, whenever any precept or warrant shall not be returned as aforesaid to make a complaint, on oath, before a Supreme or County Court Judge of the delay in making such return, and such Judge shall summon the party complained of to appear before him to answer such complaint, and if he does not appear or does not show good cause for such delay the said Judge shall by warrant commit him to the County Jail, until he makes due return of his precept or warrant, and his proceedings thereon, agreeably to this Act.

Returning and presiding officers vested with powers to preserve the peace, &c.

100. The returning officer at his court, and the returning officer and presiding officers at the respective polling places at every election shall be during the day on which the election or polling takes place conservators of the peace, and shall be severally vested with the same powers for the preservation of the peace and the apprehension and committal for trial, and holding to bail, or trying and convicting violators of the law and good order as are vested in Justices of the Peace; and for the purpose of keeping the peace and keeping good order at an election it shall and may be lawful for any such returning officer or person presiding aforesaid to require assistance of all Justices of the Peace, Constables and other persons present at such elections to aid and assist him in doing so; and it shall and may be lawful for any such returning officer or presiding officer by verbal order to commit any person for a breach of the peace, violating or threatening an elector at or coming to or returning from an election, or for any violation of good order, to the custody and charge of any constable or person on view, for such time as he in his discretion deems expedient, not exceeding twelve hours, or by a writing under his hand to commit to prison for the like offence for any period not extending beyond the second day after such day of polling, and at the expiration thereof to cause such person to be brought before some Justice of the Peace of the county (or if the offence be committed within the city of Charlottetown or the town of Summerside), before the Stipendiary Magistrate, and on inquiry into and investigating the matter, the said Justice or Magistrate may fine said offender in a sum not exceeding six dollars and fifty cents and costs, and commit him to the County Jail until such fine be paid, and all persons present at the said election are enjoined to aid and assist the officer presiding thereat and the Justices of the Peace in performing such duties under a penalty of five dollars for every refusal; and all Justices of the Peace residing in the district wherein such election or polling is held, shall upon being notified in writing by the returning officer or officer presiding, attend at such election for the purpose of aiding in preserving the peace and order thereat, and such returning officer or presiding officer shall and may when they consider it necessary appoint and swear any number of special constables to act as peace officers and assist in maintaining peace and order at such election; provided always that upon the written application of any candidate or his agent, or of any two or more electors, every returning officer or presiding officer shall swear in such special constables as may be requisite and proper.

May demand aid of Justices of Peace, or other persons.

May commit to prison.

Penalty for breach of peace.

May swear in special constables.

No offensive weapon to be worn or carried at an election.

101. It shall be unlawful for any person unless authorized by law so to do, to wear or carry at any election, or on his journey to or return from any such election or polling on the day on which such election or polling shall be held or be intended to be held, any offensive or dangerous weapon or firearms, or any staff, bludgeon, stick or other instrument, article, or thing by which an injury may be wilfully inflicted on any person whomsoever, and every person unlawfully bearing or carrying, or having in his possession at any time as aforesaid, any such weapon as aforesaid, shall forthwith on demand first made, deliver up to any Justice of the Peace, Constable or other peace officer such weapon or article as aforesaid, and the same shall be forfeited to Her Majesty; and every person who shall on demand made as aforesaid refuse to deliver up any such weapon or article as aforesaid, or offend against the provisions of this section, shall forfeit and pay for each and every such offence not less than six dollars and fifty cents, nor more than sixteen dollars.

Penalty for so doing.

In case of riot, poll not to be finally closed, but adjourned until interruption has ceased.

102. Nothing in this Act contained shall prevent any returning officer, or person acting under him as presiding officer, from closing the poll previous to the expiration of the time fixed by this Act in any case where the proceedings at an election shall be interrupted or obstructed by any riot or open violence, in which case the returning officer or presiding officer shall not for such cause finally close the poll, but in case the proceedings are interrupted or obstructed at any particular polling place or places, he shall adjourn the poll at such place or places only until the following day, and if necessary shall further adjourn the same until such interruption or obstruction has ceased, when the said returning officer or presiding officer shall again proceed to take the poll at such place or places; and whenever the poll has been so adjourned by the presiding officer he shall forthwith give notice of such adjournment to the returning officer, who shall not finally declare the state of the poll or make proclamation of the member or members chosen until the poll so adjourned at such place or places as aforesaid, has been finally closed and delivered or transmitted to such returning officer, anything hereinbefore contained to the contrary notwithstanding.

Notice of such adjournment to be given returning officer.

* * * * * * * * * *

Who shall not be appointed presiding officers, election clerks, or poll clerks.

117. The following persons shall not be appointed presiding officers, election clerks, or poll clerks:—

(*a.*) Members of Her Majesty's Privy Council, or the Senate or Commons of Canada.

(*b.*) Members of the Executive Council, the Legislative Assembly of this Province or of any other Province of the Dominion.

(*c.*) Ministers, Priests, or Ecclesiastics of any religion or religious denomination whatever.

(*d.*) Judges of the Supreme Court or of the County Courts.

(*e.*) Any person who has served as a member of the House of Assembly or Legislative Council, or of the Legislative Assembly, in the session immediately preceding the election, or in the session then being held, if the election takes place during the session of the Legislature.

(*f.*) Any person who shall have been found guilty by the Legislative Assembly or by any court for the trial of controverted elections or other competent tribunal, of any violation of the provisions of, or of dereliction of duty under, this Act.

Candidate cannot be election officer.

118. No person who has been nominated as a candidate at an election shall be afterwards appointed an election officer for such election.

Penalty on person acting as presiding officer, &c., who is ineligible

119. No person who has been by the two next preceding sections declared to be ineligible to act as presiding officer, election clerk or poll clerk, shall in any case act in such capacity, under a penalty of one hundred dollars, or imprisonment for three months in default of payment.

Who exempt.

120. None of the following persons shall be obliged to act in the capacity of presiding officer, election clerk or poll clerk:—

(*a.*) The Professors of any University, College, Seminary, Asylum, or Academy.

(*b.*) Physicians and Surgeons.

(*c.*) Millers.

(*d.*) Postmasters, Custom House Officers, or employees in the Post Office or Custom House, or employees of the Land Office.

(*e.*) Persons aged sixty years or over.

Candidate exempt.

121. Any person who intends to be nominated as a candidate at an election shall be exempt from acting as presiding officer, election clerk or poll clerk at such election.

Presiding Officer must reside in County where election is held, &c.

122. No person shall act as presiding officer for any polling district unless he is then a resident in the county in which the election is to be held, and has been so resident for one year then next preceding; and the returning officer shall be liable and responsible for the conduct of all officers by him appointed under this Act.

Exemption must be claimed within two days after receipt of commission, &c.

123. Whoever is entitled to claim the exemption granted by either of the three next preceding sections, shall claim such exemptions within two days after the receipt of the commission or warrant therefor (as the case may be), by a letter setting forth the reasons for his claim, addressed to the officer who has given the commission or warrant. In default of so doing he shall be debarred from claiming such exemption, and shall be subjected to the penalties prescribed for his refusal to accept.

Competent persons must accept office under penalty.

124. Any person being competent to discharge the office of presiding officer, election clerk or poll clerk, shall be obliged to accept such office, unless he be exempt and has claimed exemption within the prescribed days under a penalty of one hundred dollars or imprisonment for three months in default of payment, except in cases otherwise provided for.

Returning officer, &c., refusing or neglecting to perform duties liable to a penalty.

125. The returning officer, presiding officer, election clerk or poll clerk who refuses or neglects to perform any of the obligations or formalities required of him by this Act, shall for each refusal or neglect be liable to a penalty of one hundred dollars or imprisonment for three months in default of payment, except in cases otherwise provided for.

Returning and presiding officers may administer oaths.

126. The returning officer at an election shall have the power of administering all the oaths or affirmations required by this Act with respect to such election. Every presiding officer shall also have the power of administering, and shall on request administer such oaths and affirmations excepting only such as may be required to be administered to the returning officer.

Returning or presiding officers, or their partners or clerks not to act as agents for candidates under penalty.

127. No returning officer or presiding officer after his appointment, or the partner or clerk of either of them, shall act as agent of any candidate in the organization or management of his election, under a penalty of one hundred dollars or imprisonment for three months in default of payment.

Scrutiny.

No vote scrutinized unless marked "objected."

128. No vote shall be scrutinized which has not been marked "objected" in the poll book.

Previous investigation not to prevent vote being scrutinized if marked "objected."

129. The circumstances of an investigation having been had on the ground of a vote having been polled in a wrong district or electoral division or polling district or more than once, shall not prevent its being scrutinized if marked "objected."

Onus of proof on party in whose favour vote polled.

130. In all cases of scrutiny or investigation of votes after evidence given by the party objecting to any votes sufficient to raise a reasonable doubt of the validity of such vote, the burden of proof to establish such vote to be good and valid shall be on the party to the scrutiny in whose behalf such vote was polled.

Miscellaneous Provisions.

Election not to be void from irregularity in proceedings preliminary to polling, &c.

131. No election shall be declared invalid by reason of any irregularity in any of the proceedings preliminary to the polling, or by reason of a failure to hold a poll at any place appointed for holding a poll, or by reason of a non-compliance with the directions contained in this Act, as to the taking of the poll or the counting of the votes, or by reason of any mistake in the use of the forms contained in the schedule to this Act if it appears to the tribunal having cognizance of the question, that the election was conducted in accordance with the principles laid down in this Act, and that such failure, non-compliance or mistake did not affect the result of the election.

Candidate may undertake duties of agent.

132. A candidate may himself undertake the duties which an agent of his, if appointed, might have undertaken, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may in pursuance of this Act be authorized to attend.

Elector may act as agent of Candidate in certain cases.

133. At an election, whether on the day of the opening or at the polling places opened and kept for such election, in the absence of any person authorized in writing to act as agent for any absent candidate, any elector in the interest of such candidate may at any time during the election, declare himself to be and may act as the agent of any such candidate, without producing any special authority in writing for that purpose.

No polls to be held on Christmas, Sunday, or Good Friday.

134. No poll shall be opened or held on Christmas Day, Sunday, or Good Friday, and when the day appointed for anything to be done under this Act falls upon either of the beforenamed days, the same shall be done on the next judicial day, and notice thereof where notice is required shall be given accordingly.

Returning officer to furnish copy of poll book on payment of fees.

135. Every returning officer shall within a reasonable time after demand furnish a copy of the poll books to any person demanding the same, on being paid his fees therefor, under a penalty of sixteen dollars for neglecting or refusing to furnish the same.

Prosecution for penalties by candidates and others.

136. Every candidate against whom any vote or votes shall be wrongfully given or polled, or against whom, or to the prejudice of whose interest or with intent to prejudice whose interest any act shall be wrongfully done contrary to this Act, and for which vote or act a penalty or forfeit or forfeiture is hereby imposed, shall and may, within six months from the commission of the offence, prosecute for the penalty or forfeiture aforesaid; and upon recovery thereof by such candidate the amount of such penalty, after deducting all expenses and charges to which he has been put by reason of such prosecution, shall be paid into the Treasury of this Province, for the use of the Government thereof, and if no prosecution shall be legally pending, or shall have been prosecuted to final judgment, then any person whosoever may commence a prosecution for such penalty at any time after the expiration of six months as aforesaid, and before the expiration of twelve months from the time of the commission of the offence aforesaid, and on the recovery of such penalty on such prosecution last mentioned, one-half thereof shall be paid to the person sueing for the same, and the other half into the Treasury for the use of the Government.

Appropriation of penalties.

Special Votes.

Elector may poll all his votes where he votes on property qualification.

137. Every person qualified to vote upon any property qualification for members to serve in the Assembly, shall be entitled to vote for the election of a member or members for the electoral district wherein such property qualification may be situated, by polling all his votes at the electoral division in any other electoral district wherein such person may be entitled to vote for the election of a member, although such electoral division be not situated in the electoral district or county in which such first-mentioned qualification lies.

Qualification for such vote to be set forth in a schedule signed by the elector.

138. Every elector so entitled to vote for a Councillor as aforesaid, shall set forth his qualification so to do in a schedule substantially in Forms C or D in schedule "Five" to this Act as the case may require, and the said schedule shall be signed and sworn to by each elector before the presiding officer at any electoral division or district where such elector may be entitled to vote as aforesaid. And every elector so entitled to vote as aforesaid for any Assembly man, shall set forth his qualification so to do substantially in Forms A or B in schedule "Five" to this Act as may be applicable to his case, and which said schedule shall be signed and sworn to by such elector before the presiding officer at any division or district where such elector may be entitled to vote as aforesaid.

Elector to be sworn as to truth of matters contained in schedule.

Poll clerk to enter name, &c., in poll book.

139. Every presiding officer is hereby required to swear every elector claiming to vote as aforesaid, to the truth of the matters contained in such schedule upon the same being produced to such presiding officer; and the presiding officer shall sign his name to the foot of the jurat thereof; and the poll clerk is hereby required to enter the name of such elector claiming to vote as aforesaid in the poll book together with the candidate's name for whom such vote may be given in such place in the said poll book the presiding officer shall direct.

Presiding officer to take and subscribe to affidavit on close of poll.

140. Every presiding officer shall, after the closing of the poll in his electoral division or district, and before making his return to the precept for taking such poll, take and subscribe the affidavit Form E in schedule five to this Act which affidavit shall be written, or partly printed and partly written, and sworn to before any Justice of the Peace for the County, or any two electors for the electoral district, being freeholders, who are hereby authorized, and on request required to administer the same.

Duty of presiding officer after taking such oath.

141. Every presiding officer after he has taken the oath in the last preceding section prescribed, shall enclose and seal such schedules together with his said affidavit in a parcel or packet separate from the poll books, and shall endorse them "Schedules of Special Votes," and shall sign his name underneath such endorsement, and shall forthwith transmit such parcel or packet so sealed and endorsed as aforesaid, to the returning officer, from whom the presiding officer has received his precept.

142. The returning officer shall keep the said packets of special votes unopened until the same day of the week next after that upon which such poll was held; and the returning officer shall upon such day in his office, in the presence of one or more persons, openly break the sealed packet of special votes, and shall transmit such schedules in a sealed packet endorsed "schedules of special votes, A. B. returning officer of County," to the returning officer of the counties wherein the property qualification may be situated upon which such voters claim to vote, and shall re-seal and enclose as aforesaid the schedules of such voters whose property qualification is situated in the county of such returning officer. Returning officer's duty with regard to packets of special votes.

143. The returning officer shall keep the schedules of special votes unopened until the re-assembling of his court, on the day to which the same has been adjourned, and then he shall openly break the seals of the packets of special votes re-sealed by him as aforesaid, as also the packets containing the special votes transmitted to him by the returning officers of the other counties, and he shall then proceed to add such special votes to the poll books in like manner as he is hereinbefore directed to add the special returns hereto, previously to declaring the state of the poll. Procedure in regard to breaking seals of packets of special votes.

144. At any scrutiny of votes which may be held under the provisions of any Act of the Province any special vote polled in manner hereinbefore required, may be scrutinized in such manner as in such Act may be directed, and every such special vote may be so scrutinized although it may not have been marked "objected" in the poll book. Special votes may be scrutinized although not marked "objected."

145. Any presiding officer who refuses to swear an elector to such schedule of his qualification to vote as aforesaid, or who neglects or delays to return such schedules of special votes to the returning officer before the same day of the week next after that upon which such poll was held as hereinbefore directed, or who alters, varies or destroys such schedules of special votes shall be liable to an action for damages at the suit of any party aggrieved, and shall also forfeit for each and every such offence the sum of four hundred dollars, and shall also forfeit the further sum of eighty dollars for every day after the day on which the said schedules are required to be returned, during which the said schedules of special votes shall not be returned to the returning officer as hereinbefore required, together with costs of suit. Penalty on presiding officer for neglect of duty, &c., relative to special votes.

146. Any returning officer who neglects or refuses to open any schedules of special votes which may be in accordance with this Act transmitted to him by any presiding officer, or to transmit the same as hereinbefore directed, or who alters, varies or destroys any of such schedules of special votes or who neglects or refuses to add such votes to the poll books as hereinbefore directed, shall be liable to the like pains and penalties as are hereinbefore given against a presiding officer in the next preceding section. Penalty on returning officer's like offences.

147. Nothing in this Act contained shall be construed to prevent an elector entitled to vote for an electoral district upon any property qualification from polling his vote in the electoral division or polling district wherein such property qualification is situated. Elector may vote where property is situate.

148. (1.) Nothing in this Act contained shall be held to limit or affect the right of any returning officer or presiding officer to vote in the electoral division or polling district in which he may be employed in taking or assisting in taking the poll, although the same is not the electoral division or district in which he resides or his property lies, if he be otherwise qualified to vote, or to alter the mode or manner of recording such vote under the provisions of section one hundred and eleven; but every poll clerk or candidate and the inspector, agent or clerk of each candidate, qualified to vote upon any property qualification as aforesaid, shall poll his votes for the election of any member or members for any electoral district wherein such property qualification may be situated, in any part of the Province, by filing a schedule of his votes duly sworn to as hereinbefore required, although he may not be entitled to vote for the election of a member in the district wherein he may be so employed. Where and how election officers, &c., may poll their votes.

(2.) A returning officer or presiding officer qualified to vote upon any property qualification as aforesaid, may poll his votes for the election of any member or members for any electoral district wherein such property qualification may be situated in any part of the Province, by filing a schedule of his votes duly sworn to as hereinbefore required, although he may not be entitled to vote for the election of a member in the district wherein he may be so employed; but the oath in such case shall be administered by the poll clerk.

* * * * * * * * * *

Returning Officer's Fees.

151. On the return of each writ of election there shall be paid to the returning officer, out of the Treasury of Province, the following fees:— Returning officer's fees.

For each member duly returned elected without contest, the sum of ...	$6.50
For each member returned duly elected where there has been a contest ...	10.00
For each presiding officer	3.25
For each poll clerk	1.50
For each special constable to keep door of polling booth	1.00
For each mile necessarily travelled to post proclamations, such mileage to be charged one way only	.10
For each mile necessarily travelled to post notices and deliver poll books to the presiding officers, mileage to be charged only one way	.10
For each mile necessarily travelled to collect poll books, mileage to be charged one way only	.10
For the return to each writ	.36
For election clerk attending on nomination day, opening special votes and declaration day respectively, for each day	2.00
If a general election or an election for more than one district to be held at the same time, and the same person be appointed election clerk for all the districts, then in full the sum of	10.00

For each day for holding court on nomination day, opening the schedules of special votes, and declaration day respectively, the sum of... ... $3.25
A reasonable sum for disbursements in providing booths and polling places.
For the returning officer for copy of any poll book, 10 cents per folio.

152. The returning officer shall receive from each candidate on the day of his nomination, the fees following:—

Where there is no contest or poll demanded, the sum of $1.50
Where there is a contest and poll demanded, the sum of 10.00

Which said sums he shall pay into the Treasury.

Candidate's fees to be paid before adjournment of returning officer's court on nomination day.

153. All fees payable by any candidate to the returning officer at an election shall be paid before the adjournment of the returning officer's court on nomination day, and the name of any person nominated as a candidate, who fails to make such payment within the time aforesaid, shall be removed from the poll book of the election clerk, and he shall not be deemed to have been nominated as a candidate.

No. 3.

NEWFOUNDLAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received October 13, 1906.)

MY LORD, Government House, St. John's, October 1, 1906.

REFERRING to your despatch of 31st March last, I now have the honour to enclose herewith a memorandum together with a copy of the Election Act of 1889, which have been supplied by my Ministers in accordance with your Lordship's request.

I have, &c.,
WM. MACGREGOR.

Enclosure in No. 3.

MEMORANDUM *re* Elections in the Colony of Newfoundland.

Elections in Newfoundland are held under Chapter 3, Consolidated Statutes (Second Series), entitled "Of the Election of Members of the House of Assembly" (known as the Election Act, 1889), and the amendments thereto, as per copy in book form sent herewith in duplicate.

REGISTRATION OF VOTERS.

The registration of voters is undertaken by Magistrates or Justices of the Peace, to whom are given certain sections of the Island, and who, within such sections, appoint a sufficient number of persons to go from settlement to settlement and take down on forms provided for the purpose the names of all persons entitled to vote. These enumerators are paid for their work at the rate of six to ten cents per name taken, the variation in the amount paid being caused by the characteristics of each locality, some enumerators having comparatively short distances to travel with a large number of names to take, while others have to go over long stretches of country not thickly populated. In some cases it is necessary to allow the enumerators, beside the above amount, a special sum for expenses, such as boat hire, &c.

By Enclosure "A" herewith it will be seen that the total amount paid for the registration of voters in the election of 1904 was $7,102.79, and the table will give the amount for each of the electoral districts of the Island.

ELECTIONS.

For the carrying out of an election, which, under the Act, is to be held in all the districts upon the same date, His Excellency the Governor appoints a Returning Officer for each district, who has full power to carry out the provisions of the law in respect to elections. Each Returning Officer appoints in his district the Deputy Returning Officers, Poll Clerks, and other officials.

The payment to these officials will be seen in Schedule "C" to the Act, Cap. 42, 61 Vic., entitled "An Act to amend the Election Act, 1889."

Enclosure "B" gives a table showing the cost of the election of 1904 for each district of the Colony; how much of the same came from candidates' fees; and how much had to be borne by the Colony; also, the number of voters in each district, and the cost per vote registered. The expense would not be any greater did all

the registered voters avail themselves of their right and privilege of voting. The total cost to the Colony of the election was $31,235.24; and there being registered 54,614 voters, the average cost per voter was 57 cents. There is considerable variation in the cost in the various districts, and this is caused by the local circumstances in each case. The Colony is practically inhabited only on the sea coast, and in the great bays the population is scattered, so that it is necessary to have a large number of booths to enable the people to exercise their right to vote. In the district of St. Barbe, where the cost per voter is so great, it is necessary to employ a steamer to distribute and collect the ballot boxes and election papers. Added to this is the fact that the population is small compared to the many miles of coast line included in the district. The long distances to be travelled also cause a large expense in connection with the messengers appointed to take the ballot boxes to the various booths, and to bring them again to the Returning Officer when the voting has finished.

"A."

Registration of Voters.

Districts:—	
St. John's, east and west	$1,197.37
Harbour Main	302.70
Port de Grave	208.70
Harbour Grace	355.00
Carbonear	164.45
Bay de Verde	298.50
Trinity	596.79
Bonavista	654.74
Twillingate	639.47
Fogo	237.90
St. Barbe	423.90
St. George	314.36
Burgeo and La Poile	212.30
Fortune Bay	298.57
Burin	304.50
Placentia and St. Mary's	505.65
Ferryland	207.35
General	180.54
	$7,102.79

"B."

Elections.

Districts.	Ordinary Expenses.	Printing and Stationery.	Other Expenses, Special.	Total.	Less Candidates' Deposits.	Cost to Colony.	Voters in District.	Votes Polled.	Cost per Voter.
	$ c.	$ c.	$ c.	$ c.	$ c.	$ c.			$
St. John's, East	1,241.41	731.75	—	1,973.16	450.00	1,523.16	5,125	3,790	.38½
St. John's, West	969.10	672.15	—	1,641.25	450.00	1,191.25	4,317	3,286	.38
Harbour Main	877.06	220.00	—	1,097.06	300.00	797.06	2,480	1,637	.44¼
Port de Grave	475 82	172.00	—	647.82	150.00	497.82	1,922	1,319	.33½
Harbour Grace	1,183.94	260.50	—	1,444.44	450.00	994.44	3,064	2,210	.47
Carbonear	434.98	135.50	—	570.48	150.00	420.48	1,371	920	.41½
Bay de Verde	873.77	253.50	—	1,127.27	300.00	827.27	2,499	1,914	.45
Trinity	1,793.80	378.27	—	2,172.07	450.00	1,722.07	5,010	3,275	.43¼
Bonavista	1,592.46	388.78	—	1,981.24	450.00	1,531.24	5,447	3,322	.36½
Twillingate	1,655.24	532.50	240.00	2,427.74	450.00	1,977.74	4,749	3,551	.51
Fogo	942.41	214.00	—	1,156.41	225.00	931.41	1,962	1,151	.68¾
St. Barbe	1,688.83	159.15	5,342.00	7,189.98	300.00	6,889.98	2,083	1,365	3.45
St. George	1,811.44	227.23	—	2,068.67	150.00	1,918.67	2,444	1,574	.84½
Burgeo and La Poile	877.46	169.72	120.00	1,167.18	150.00	1,017.18	1,772	1,418	.65¾
Fortune Bay	1,131.97	292.98	—	1,424.95	150.00	1,274.95	2,239	1,519	.63½
Burin	1,054.76	292.35	—	1,347.11	300.00	1,047.11	2,564	1,965	.52½
Placentia and St. Mary's	2,353.89	358.88	—	2,712.77	450.00	2,262.77	3,876	3,267	.70
Ferryland	734.03	124.25	—	858.28	225.00	633.28	1,690	1,386	.50¾
General	1,771.32	2,006.04	—	3,777.36	—	3,777.36	—	—	—
Average cost per Voter	—	—	—	—	—	—	—	—	.57
Totals	$23,493.69	$7,589.55	$5,702.00	$36,785.24	$5,550.00	$31,235.24	54,614	38,869	—

Chapter 3.

Of the Election of Members of the House of Assembly.

Section.
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2. Division of Chapters.
3. Interpretation of clause.

Elections.

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55. Returning Officer may preside at polling station.
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59. Agents of Candidates.
60. Returning Officers, &c., not to act as Agents; misdemeanour.
61. Candidate may act as Agent.
62. Interpretation of words referring to Agents.
63. Places where poll to be held.
64. Oath of secrecy.
65. Rules to be observed by officers, clerks, &c.
66. Supplementary lists of voters; hours of attendance, &c.
67. Hours during which poll to be open.
68. Opening of ballot boxes.
69. Persons permitted to be present in polling station.
70. Electors to vote at proper polling station.
71. Deputy Returning Officers, &c., entitled to vote at polling station where engaged.
72. Mode of voting.
73. No elector to vote more than once.
74. Procedure where another has voted under same name.
75. Instructions for balloting.
76. How to mark, fold, &c., ballot paper.
77. Illiterate, blind, &c., voters to be assisted.
78. Illiterate, &c., voters to be sworn.
79. Voter refusing to be sworn not to be admitted to vote.
80. Spoiled ballot papers.
81. Taking away ballot papers; penalty.
82. Voters' list.
83. Voter to quit booth promptly.
84. Proceedings when poll obstructed or prevented.
85. Proceedings when poll closed.
86. Packets of counterfoils not to be opened except by Supreme Court.
87. Collecting and forwarding ballot boxes.
88. Arrangements for counting votes.
89. Persons to be present at counting.
90. Adjournment if ballot boxes not all returned.
91. Proceedings if ballot boxes destroyed or lost.
92. Rules to observe when counting votes.
93. Counting to be continuous; exceptions.
94. Objections to count to be noted.

Section.
95. Where missing ballot papers could not affect result.
96. Where missing ballot papers might affect result, new poll to be had.
97. Count after second poll.
98. Casting vote in case of tie.
99. Statement of Returning Officer at conclusion of counting.
100. Return to election writ; form; how forwarded, &c.
101. Ballot boxes, packets, &c., to be forwarded to Colonial Secretary.
102. Delay, neglect or refusal by Returning Officer; damages.
103. Names of candidates elected to be certified in "Royal Gazette."
104. No person permitted to inspect ballot papers; exceptions.
105. Ballot papers and counterfoils to be kept sealed for one year, and then destroyed.
106. Recount.
107. No person to be required to state for whom he voted.
108. No privilege to person examined concerning an election.
109. Returning Officers and Deputies to be Conservators of the Peace.
110. And may require assistance from others;
111. And arrest disturbers of the peace.

Offences.

112-113. Offensive weapons prohibited on polling day; misdemeanour.
114. Assaults to be deemed aggravated.
115. Spirituous liquors not to be sold on polling day.
116. Destruction, alteration, erasure, &c., of lists, documents, &c., felony, punishment, &c.
117. Certain offences declared to be misdemeanours.
118. Refusal or neglect of Returning Officer and other officers, forfeiture.
119-122. Penalty for wilful misfeasance by officers; procedure: pleadings: evidence.
123. Indictment; offence how stated.
124-125. Court may order payment of prosecutor's costs.
126. Writ of election need not be produced at trial.
127. Commencement of prosecution; limitation.
128. Certified copies of documents to be evidence.

Miscellaneous.

129-130. Oaths—by whom to be administered; perjury.
131. Proclamation of orders or directions for election.
132. Election not to be invalid for non-compliance with rules if result not affected thereby.
133. Copy of this Chapter to be furnished to Returning Officers and Deputies.

Part I.

Preliminary.

1. This Chapter may be cited as "The Election Act, 1889."
2. This Chapter is divided into parts, as follows:—

Part I.—Preliminary.
Part II.—Qualification and Registration of Electors.
Part III.—Election of members of the House of Assembly.
Part IV.—Corrupt and Illegal Practices.
Part V.—Trial of Controverted Elections.

3. In this Chapter, unless the context otherwise requires—

(*a.*) The expression "person" means a male person.
(*b.*) The expression "Electoral District" means any place entitled to return a member or members to the General Assembly of Newfoundland.
(*c.*) The expression "Polling Station" means the place where polling is authorized by law to take place.
(*d.*) The expression "List of Electors" means the list of persons qualified by law to vote at the election of a member of the General Assembly of Newfoundland.
(*e.*) The expression "Voters' List" means the list kept by a Polling Clerk at an election.

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Part III.

Election of Members of the House of Assembly.

30. Every writ for the election of a member of the House of Assembly shall be dated and returnable on such day, and shall be addressed to such person, as the Governor shall determine, and such person shall be the Returning Officer at such election: Provided always, that if the person to whom the writ is addressed refuses, or is disqualified, or is unable to act, the Governor may appoint another person to be such Returning Officer.

31. None of the persons hereinafter mentioned shall be appointed Returning Officers, or Deputy Returning Officers, Election Clerks or Poll Clerks, or to any other office in connection with the said election or registration of voters therefor, that is to say:—

(*a.*) Members of the Executive Council.
(*b.*) Members of the Legislative Council or House of Assembly.
(*c.*) Ministers, priests, or ecclesiastics of any religious faith or worship.
(*d.*) Judges of the Supreme or Districts Courts.
(*e.*) Persons who have served in the Legislature in the session immediately preceding the election, or in the then present session.
(*f.*) Persons who have been found guilty by any Court for the trial of controverted elections, or other competent tribunal, of any offence or dereliction of duty under this chapter.
(*g.*) Persons who are intending candidates.

32. The writs of election shall be in the form of schedule F. to this chapter, and in case of elections held out of the electoral districts of St. John's, shall, immediately after the issuing thereof, be transmitted to the respective Returning Officers.

33. The Governor shall, by Proclamation, fix the days and places of nomination and the days of polling in the several electoral districts, and not less than twenty-one days shall intervene between the publication of the Proclamation and the day of polling. At every general election one and the same day shall be fixed for the nomination, and one and the same day for the polling in all the electoral districts, and the day for holding the poll shall be the seventh day next after the expiration of the day fixed for the nomination of candidates, that is, on the same or corresponding day of the week next after that on which the nomination has taken place, or if such seventh day is a statutory holiday, then on the next following day not being Sunday or a statutory holiday. The Court House, or some other public or private building in the most convenient locality for the great body of the electors of each electoral district, shall be the place fixed for the nomination of candidates.

34. The Governor, by Proclamation, shall constitute polling districts or sections and appoint polling stations, and may, if expedient, by Proclamation, from time to time alter the same or appoint additional polling stations.

35. At the same time that the election writs are transmitted the Colonial Secretary shall provide each Returning Officer with the following materials:—

(*a.*) A duly certified list of electors qualified to vote in the Electoral District.
(*b.*) Ballot box for each polling station in the Electoral District
(*c.*) Materials for voters in each polling station of the Electoral District to mark their ballot papers.
(*d.*) At least ten copies for each polling station of the printed directions for the guidance of voters set forth in schedule O. of this chapter.
(*e.*) Copies of the Proclamation mentioned in sections 33 and 34 of this chapter.

36. The ballot boxes shall be made of durable material, each box being provided with a lock and key and a convenient aperture for depositing the ballots therein, and shall be so constructed as to secure the ballots deposited therein from loss or illegal interference. Such ballot boxes shall be under the control of the Colonial Secretary, who shall preserve them for use at elections.

37. On receiving the writ of election, the Returning Officer shall endorse thereon the date of his receiving the same, and shall forthwith take the oath of office in the form schedule G., which shall be administered by a Justice of the Peace.

38. After taking the oath of office, the Returning Officer shall forthwith, by writing, in the form of schedule H, appoint an Election Clerk, and may at any time during the election, appoint in the same manner another Election Clerk, in case the one so appointed shall resign, refuse, or be unable to perform his duties as such. The Election Clerk shall before acting take the oath of office in the form of schedule I.

39. No person shall act as Deputy Returning Officer, Election Clerk or Poll Clerk for the purposes of an election, who is at the time of the election, or has within one month before the election, been in the constant or permanent service of a candidate, or who has been employed by any candidate or his agent, or any other person on his behalf or in his interest in or about the election under a penalty not exceeding one hundred dollars, to be recovered from such person in a summary manner before a stipendiary Magistrate by any person who shall sue for the same.

40. The duty of the Election Clerk shall be to assist the Returning Officer in the performance of his duties, and to act in his stead as Returning Officer whenever the Returning Officer shall be unable or shall refuse to perform his duties and shall not have been replaced by another, and in such a case he shall have the same power to appoint an Election Clerk as section 38 of this chapter confers upon the Returning Officer first appointed.

41. On receiving the Proclamation mentioned in sections 33 and 34 of this chapter, the Returning Officer shall cause copies of them to be posted up at the several Polling Stations within the Electoral District, together with notices in the form schedule J to this chapter, of the place and time of nomination, the places and time of polling, and the place of declaring the result of the poll.

42. Where the Returning Officer or his Deputy is by this chapter required or authorized to give any public notice, and no special mode of giving the same is mentioned, he may give the same by advertisement, placards, handbills, or such other means as he may think best calculated to give the information to the electors.

43. The time appointed for the nomination of candidates shall be from the hour of ten a.m. until the hour of two in the afternoon of the day fixed for that purpose.

44. The nomination of candidates shall be by writing in the form of schedule K, signed by two electors, giving the names, residences, and description of each candidate, and filed with

the Returning Officer at the time and place of nomination, or at any other place and at any other time between the date of the Proclamation mentioned in section 33 and the time of nomination. Each candidate shall be nominated by a separate nomination paper, but the same electors, or any of them, may subscribe as many nomination papers as there are members to be elected.

45. No nomination paper shall be valid and acted upon unless it shall be accompanied by the written consent of the person therein nominated, except when the candidate is absent from the place at which the nomination is held, when such absence shall be stated in the nomination paper; nor unless the sum of one hundred and fifty dollars be paid to the Returning Officer on delivery of the nomination paper. Of the sum so paid, the Returning Officer shall return one hundred and thirty dollars to any candidate elected without opposition, and the sum of seventy-five dollars to any successful candidate in a contested election, and the same amount to any unsuccessful candidate who shall poll one-third of the total number of votes polled by any successful candidate at the same election in the same Electoral District.

46. The Returning Officer shall require the oath of one or more electors that the several persons signing any nomination paper are electors and entitled to vote; that they have signed the paper in the presence of such persons or one of them; that the candidate has signed the consent produced, or is absent from the place where such nomination is held and has consented to his nomination. Such oath shall be in the form of schedule L to this chapter, and the fact of its having been taken shall be stated by the Returning Officer on the back of the said nomination paper.

47. The Returning Officer being furnished with the nomination paper mentioned in section 44, and sections 45, 46 and 48 having been complied with, shall publicly proclaim that such person has been duly nominated as a candidate for the election, and shall give a certified list of the candidates nominated to any candidate or agent applying for the same.

48. The qualification of persons to be elected to serve as members of the House of Assembly shall be a net annual income, arising from any source whatever, of four hundred and eighty dollars, or the possession of property exceeding two thousand four hundred dollars, clear of all incumbrances; and the length of the period of residence within the said island shall be a period of two years next preceding such election; and every candidate for such election shall be a male British subject of the full age of twenty-one years, of sound understanding, and never having been convicted in due course of law of any infamous crime.

(*a.*) Every candidate for election present at the nomination of candidates shall before nomination deliver, or cause to be delivered, to the Returning Officer a declaration signed by himself and sworn before the Returning Officer, which declaration shall be according to one of the forms in schedules M 1 and M 2 of this chapter, according as the qualification may be in income or property.

(*b.*) Before any candidate for election not present at the nomination of candidates shall be put in nomination, a declaration in the form of schedule M 3 or M 4, shall be delivered to the Returning Officer, according as the qualification is in income or property, signed by the candidate or by two electors, and sworn before a stipendiary Magistrate, a Justice of the Peace, or the Returning Officer.

49. Whenever only one candidate, or only such a number of candidates, as are required by law to be elected to represent the Electoral District for which the Election is held has or have been nominated within the time fixed for that purpose, the Returning Officer shall forthwith make and transmit to the Colonial Secretary his return upon the back of the Writ for holding such election that such candidate or candidates, as the case may be, is, or are, duly elected for the said Electoral District; of which return he shall deliver or send, within forty-eight hours, a duplicate or certified copy to each person elected, and such return shall be in the form of schedule N to this chapter.

50. The Returning Officer shall accompany his return to the Colonial Secretary with a report of his proceedings, and of any nomination proposed and rejected for non-compliance with the requirements of this chapter.

51. If more candidates than the number required to be elected for the Electoral District are nominated in the manner required by this chapter, it shall be the duty of the Returning Officer to grant a Poll for taking the votes of the electors, and to cause to be posted up notices of his having granted such Poll in the form of schedule O, indicating the names (alphabetically arranged), residence and occupation of the candidates so nominated, which notices shall, as soon as practicable after the nomination, be posted or displayed at all the places where the Proclamation for the election has been posted up.

52. Any candidate nominated may withdraw at any time after his nomination and before the closing of the poll, by filing with the Returning Officer a declaration on oath, in writing, and signed by himself, to the effect that he withdraws from such nomination freely and voluntarily, and that he has not received, directly or indirectly, from any person or body, any gift, loan, offer, promise, or any promise to procure or to endeavour to procure any money, office, place or appointment, or other consideration for such withdrawal (which oath shall be in the form of schedule P to this chapter), and any votes cast for the candidate who shall have so withdrawn shall be null and void. And in case after the withdrawal there should remain but one candidate, or no more than the number to be elected, then it shall be the duty of the Returning Officer to return as duly elected, in the manner prescribed in section 19, the candidate or candidates so remaining, without waiting for the day fixed for holding the poll, or for the closing of the poll, if such withdrawal be filed on the polling day.

53. It shall be the duty of the Returning Officer, on a poll being granted, when the election is to be held in St. John's East or West, Harbor Grace, Carbonear, Brigus, Bay-de-Verde, Harbor Main or Ferryland, and in other Districts, upon the receipt of the election writ—

(*a.*) To appoint, by writing, in the form of schedule Q to this chapter, one Deputy

Returning Officer for each polling station comprised in the Electoral District, who shall, before acting as such, take the oath of office in the form of schedule R to this chapter.

(*b.*) To furnish each Deputy Returning Officer with a copy of the list or of such portion of the list as contains the names, arranged alphabetically, of the electors qualified to vote at the polling station for which he is appointed, such copy being first certified by himself.

(*c.*) To furnish each Deputy Returning Officer in Districts in which electors are permitted by Proclamation under section 70 of this chapter to vote at any polling station in the District, with a full and complete copy of the revised list of electors at least two days before the day of election.

(*d.*) To furnish to each Deputy Returning Officer at least two days before the polling day, a ballot box, together with the lock and key thereof.

(*e.*) To furnish each Deputy Returning Officer with a number of ballot papers equal to the number of voters entitled to vote in his booth (all being of the same description and as nearly as possible alike), and consecutively numbered upon the back and upon the counterfoil, as prescribed in section 54 of this chapter, and with the necessary materials for voters to mark their ballot papers; and to keep a correct record of the number of ballot papers furnished to each Deputy Returning Officer.

(*f.*) To furnish each Deputy Returning Officer with at least ten copies of printed directions for the guidance of voters in voting, as set forth in schedule O to this chapter, which printed directions the Deputy Returning Officer shall, before or at the opening of the poll on the day of polling, cause to be posted up in some conspicuous place outside of the polling station and also in each compartment of the polling station.

54. The ballot shall consist of a paper (in this chapter called a ballot paper) showing the name and description of the candidates, alphabetically arranged in order of their surnames, or if there be two or more candidates with the same surname, in order of their other names; and such ballot paper shall be in the form of schedule S to this chapter. Each ballot paper shall have a number printed or written on the back, and shall have attached a counterfoil with the same number printed or written on the face. All the ballot papers shall be numbered consecutively from one upwards.

55. The Returning Officer may, if he think fit, preside at any polling station, and the provisions of this chapter relating to a Deputy Returning Officer shall apply to such Returning Officer or Deputy Returning Officer.

56. Each Deputy Returning Officer shall forthwith appoint, by writing, in form schedule T to this chapter, a Poll Clerk, who, before acting as such, shall take the oath in form schedule U to this chapter.

57. In case any Deputy Returning Officer should refuse or be unable to act, the Returning Officer may appoint another person to act in his place as Deputy Returning Officer, who, before acting as such, shall first take the oath prescribed in schedule R to this chapter; and in case no such appointment be made, the Poll Clerk, without taking another oath of office, shall act as Deputy Returning Officer.

58. Whenever the Poll Clerk acts as Deputy Returning Officer, he shall, by writing, in the form of schedule V to this chapter, appoint a Poll Clerk to act in his stead, who shall take the oath required by schedule U to this chapter.

59. Any person producing to the Returning Officer or Deputy Returning Officer at any time a written authority from a candidate to represent him at the election or at any proceeding of the election, and making oath in the form of schedule W to this chapter, shall be deemed an agent of such candidate within the meaning of this chapter.

60. Every Returning Officer or Deputy Returning Officer of an electoral district, and every partner or clerk of either of them, who acts as agent of any candidate in the management or conduct of his election for such electoral district, is guilty of a misdemeanour.

61. A candidate may himself undertake the duties which any agent of his, if appointed, might have undertaken, or may assist his agent in the performance of such duties, and may be present with or without him at any place at which his agent may, in pursuance of this chapter, be authorized to attend.

62. When in this chapter any expressions are used requiring or authorizing any act to be done, in the presence of the agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as may be authorized to attend, and as have in fact attended, at the time and place where such act or thing it being done; and the non-attendance of any agents or agent at such time and place shall not, if the act or thing be otherwise duly done, invalidate in anywise the act or thing done.

63. The poll, when granted, shall be held at each polling station in a building of convenient access (not being a place of public worship or licensed under the Licensed Act), with an outside door for the admittance of the voters, and having, if possible, another door through which they may leave after having voted. Every polling station shall be furnished with compartments, in which the voters can mark their votes screened from observation, and without means of ingress or egress during the polling, except through the room in which the ballot box is kept, and it shall be the duty of the Returning Officer to direct, and the Deputy Returning Officer to see, that a sufficient number of such compartments are provided at each polling station.

64. Every Returning Officer, Deputy Returning Officer, clerk or agent, or other persons authorized to attend at a polling station or at the counting of the votes shall, before entering upon his duties or exercising his functions, make an oath of secrecy in the form of schedule X to this chapter, in the presence, if he be the Returning Officer, of a Justice of the Peace, or, in the absence of such Justice of the Peace, of the Deputy Returning Officer; and if he be any other officer or agent, of a Justice of the Peace, of the Returning Officer, or of the Deputy Returning Officer.

65. (*a.*) Every officer, clerk and agent, in attendance at a polling station, shall maintain, and aid in maintaining, the secrecy of the voting in such station, and shall not communicate

to any person any information as to whether any person on the list of electors or supplementary list has or has not applied for a ballot paper or voted at that station.

(*b.*) No officer, clerk or agent, and no person whosoever, shall interfere with, or attempt to interfere with, a voter when making his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted.

(*c.*) No officer, clerk, agent or other person shall communicate at any time to any person, any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted.

(*d.*) Every officer, clerk, agent and other person in attendance at the counting of votes shall maintain, and aid in maintaining, the secrecy of the voting, and shall not attempt to ascertain at such counting, or communicate any information obtained at such counting, as to the candidate for whom any vote is given in any particular ballot paper.

(*e.*) No elector shall, except in the case provided for in section 77, show his ballot paper when marked to any person, so as to allow the name of the candidate for whom he votes to be known.

(*f.*) No person shall, directly or indirectly, induce or endeavour to induce, any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

(*g.*) Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction before a stipendiary Magistrate or two Justices of the Peace, to imprisonment for any time not exceeding six months, with or without hard labour.

66. Every Deputy Returning Officer shall, on the day preceding the day appointed for taking the poll, and after at least twenty-four hours' public notice, attend at the place appointed as the polling booth at which such Deputy Returning Officer is to preside, and shall from the hour of nine a.m. to eight p.m., publicly receive and hear applications to be admitted to vote at such polling booth from any persons whose names may have been omitted from the list of duly qualified voters entitled to vote at his booth, but who shall claim to be otherwise qualified voters and entitled to vote at such booth. Every such applicant shall answer upon oath, to be administered by the Deputy Returning Officer, all such questions touching his qualifications to vote as shall be prescribed by rules to be made and published by the Governor in Council. Upon its being made to appear to the Deputy Returning Officer *primâ facie* that such applicant is qualified to vote, the Deputy Returning Officer shall enter his name upon a separate list or register, to be called supplementary list of electors, containing the names of all such applicants and such other particulars as shall be prescribed by rules as above provided. On the day of polling every such person shall be admitted to vote, subject to enquiry and determination by the Court upon a trial of a controverted election as to the fact of his qualification as a voter.

67. Each Deputy Returning Officer shall open the poll assigned to him at the hour of eight o'clock in the morning, and keep the same open until four o'clock in the afternoon, and shall during that time receive in the manner hereinafter prescribed the votes of the electors duly qualified to vote at such polling place.

68. At the hour fixed for opening the poll, the Deputy Returning Officer and Poll Clerk shall, in the presence of the candidates, their agents, or not less than three voters, whose names shall be recorded on the poll book, open the ballot box and ascertain that there are no ballots or other papers in the same, and shall then lock it up and place their seals upon it in such a manner as to prevent its being opened without breaking such seal, and shall place it in view for the receipt of ballot papers, and keep it so locked and sealed. Immediately after ballot box is locked, as herein provided, the Deputy Returning Officer shall call upon the electors to vote.

69. In addition to the Deputy Returning Officer and the Poll Clerk, the candidates and their agents (not exceeding one for each candidate) in each polling station, and in the absence of agents, one elector to represent each candidate on the request of such elector, and no others, shall be permitted to remain in the room where the votes are given during the whole time the poll remains open: Provided always, that any agent having a written authorization from a candidate, and making oath as provided in section 59, shall always be entitled to represent such candidate in preference to and to the exclusion of any elector who may otherwise claim the right of representing such candidate.

70. Each elector shall vote at the polling station in which he is qualified to vote and no other, except otherwise permitted by proclamation or by the provisions of section 71 of this chapter; and it shall be the duty of the Returning Officer to secure the admittance of every elector into the polling booth, and to see that he is not impeded or molested at or about the polling booth.

71. A Deputy Returning Officer, Poll Clerk or agent, entitled to vote at an election, shall have the right to vote at the polling station where he shall be actually engaged during polling day, instead of at the station where he would otherwise have been entitled to vote.

72. The electors shall be introduced one at a time into the room where the poll is held, each shall declare his name, surname and addition, which shall be entered or recorded in the voters' list, to be kept for that purpose by the Poll Clerk, and if the same be found on the list of electors for the polling station, he shall receive from the Deputy Returning Officer a ballot paper: Provided that if the candidate or his agent do declare upon oath that he has a *bonâ fide* reason to believe that the applicant for a ballot paper is not the person he claims to be, or that he is not of the full age of twenty-one years, or that he has voted before at such election, either at that or any other polling place, or has been subject to bribery, such elector shall take the oath of qualification in the form of schedule Y.

73. No person shall vote more than once in the same electoral district at the same election, but each elector may vote for as many candidates are are required to be elected to represent the electoral district for which the election is held.

74. (1.) If a person representing himself to be a particular elector applies for a ballot paper after another person has voted as such elector, the applicant upon taking the oath in the form of schedule A.A. to this chapter, and otherwise establishing his identity to the satisfaction

of the Deputy Returning Officer, shall be entitled to receive a ballot paper, on which the Deputy Returning Officer shall put his initials, the number corresponding to the number entered upon the voters' list opposite the name of said elector, and the words "second voter"; and he shall thereupon be entitled to vote as any other elector.

(2.) The name of such voter shall be entered upon the voters' list, and a note shall be made of his having voted on a second ballot paper issued under the same name, and of the oath of identity having been required and made, as well as of any objections having been made on behalf of any and which of the candidates.

75. The votes shall be given by ballot. At the time of voting the ballot paper shall be marked on the back with the initials of the Deputy Returning Officer, detached from the counterfoil, and delivered to the elector within the polling booth, and the number of such voter upon the voters' list shall be marked on the counterfoil. The Deputy Returning Officer shall instruct the elector how and where to affix his mark, and how to fold his ballot paper, but without enquiring or seeing for whom the elector intends to vote, except in the case provided for in section 77.

76. The elector on receiving the ballot paper shall forthwith proceed into a compartment of the polling booth and there mark his ballot paper, making a cross on any part of the ballot paper within the division or divisions (if more than one are to be elected) containing the name (or names) of the candidate (or candidates) for whom he intends to vote, after which he shall fold it up so as to conceal his vote, and hand it so folded up to the Deputy Returning Officer, who shall without unfolding it ascertain by examining his initials and the number upon it, and by comparing the number upon it with the number upon the counterfoil, that it is the ballot paper which he furnished to the elector, and shall then immediately and in the presence of the elector place the ballot paper in the ballot box.

77. The Deputy Returning Officer, on application of any voter who is unable to read, or is incapacitated by blindness or other physical cause from voting in the manner prescribed by this chapter, shall assist such voter, within the compartment, by marking his ballot in the manner directed by the voter in the presence of a sworn agent of each candidate, or of a sworn elector representing him, if such agent or elector be present in the polling booth, and of no other person, and by placing such ballot paper in the ballot box. And the Deputy Returning Officer shall cause a list to be kept of the names of voters whose ballot papers have been so marked, in pursuance of this section, with the reason why each ballot paper was so marked.

78. When application is made to the Deputy Returning Officer by any voter who is unable to read or is incapacitated by blindness or other physical cause from voting in the manner prescribed in this chapter, before marking his ballot paper the Deputy Returning Officer shall require the voter making such application to make oath of his incapacity to vote without assistance in the form of schedule B. B.

79. No voter, having refused to take the oath or affirmation required as aforesaid by this chapter, when requested to do so, shall receive a ballot paper or be admitted to vote, or upon leaving the booth shall be permitted to return.

80. A voter who has inadvertently dealt with the ballot paper given him in such manner that it cannot be conveniently used, may, on delivering the same to the Deputy Returning Officer, obtain another ballot paper in the place of that so delivered up.

81. Every elector who takes his ballot paper out of the polling booth shall incur a penalty of two hundred dollars, or in default of payment shall be liable to imprisonment for a period not exceeding six months.

82. The Poll Clerk shall keep a voters' list in the form in schedule C. C. to this chapter, on which he shall inscribe—

(*a.*) The name, occupation and residence of the person who enters the booth to vote.

(*b.*) The word "voted" opposite the name of each elector as soon as his ballot paper has been deposited in the ballot box.

(*c.*) Opposite the name of any voter, whose ballot paper has been marked for him, the reason why such ballot paper was so marked.

(*d.*) The words "second ballot" opposite the name of any voter to whom a second ballot paper has been delivered because of the defacement or destruction of the first.

(*e.*) The words "second voter" opposite the name of any voter to whom a ballot paper has been given, after another has voted in the same name, and who has taken the oath of identity prescribed in section 74.

(*f.*) The word "supplementary list" opposite to the name of every person who has been permitted to vote under the provisions of section 68 of this chapter.

(*g.*) The nature of an objection, if any, made against any person applying for admission to vote.

83. Every voter shall vote without undue delay, and shall quit the polling booth so soon as his ballot paper has been put into the ballot box.

84. If, by reason of obstruction or other cause, any Returning Officer or his Deputy shall be prevented or hindered from duly proceeding or taking the poll, he shall adjourn the poll till the next day, not being Sunday, and to the next succeeding day also, if necessary, in order to complete the taking of the poll.

85. The Deputy Returning Officer of each booth, immediately after the close of the poll, shall, in the presence of the Poll Clerk and the candidates or their agents, and if the candidates or their agents are absent, then in the presence of three electors, make up into separate packets, sealed with the official seal of the booth, and the seals of such candidates or their agents, and if the candidates and their agents be absent, of such of the said electors as desire to affix their seals,—

(*a.*) The ballot box in use at his booth, unopened, but with the key attached; and

(*b.*) The unused and spoilt ballot papers placed together; and

(*c.*) The list of those who have voted (a copy of which, signed by himself and the Poll Clerk shall be kept in his possession); and

(*d.*) The counterfoils of the ballot papers;

and shall deliver such packets to the Returning Officer or his messenger, appointed under the provisions of section 87, who shall, before receiving the ballot boxes and packets of papers, take the oath in the form of schedule F. F. These packets shall be accompanied by a statement in writing, made by the Deputy Returning Officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of—

(*a.*) Ballot papers in the ballot box.

(*b.*) Unused and spoilt ballot papers.

The Deputy Returning Officer and Poll Clerk shall, respectively, take the oaths in the form of schedules D. D. and E. E. to this chapter, which shall be annexed to the statements above mentioned.

86. No person, except by order of the Supreme Court or a Judge thereof having cognizance of an election petition complaining of an undue return or undue election, shall open the packets of counterfoils after the same have been once sealed up, or be allowed to inspect any such counterfoils after the same have been once sealed up by the Deputy Returning Officer: Provided that such order shall not be made by the said Court or Judge until it has been proven and declared on the trial of such petition that the vote of the electors or an elector is invalid, and provided that in the making and carrying into effect of any such order, care shall be taken that the manner in which any other than the elector or electors, whose vote shall be declared to be invalid, may have voted shall not become known or discovered.

87. The Returning Officer shall appoint a person or persons, by a writing in the form of schedule F. F., to collect the ballot boxes and parcels from the several polling stations in his electoral district, or to convey the same to the Colonial Secretary. Such person or persons shall before proceeding to discharge the duties aforesaid take the oath prescribed in schedule G. G. to this chapter, before the Returning Officer, a Deputy Returning Officer or a Justice of the Peace, and upon the performance thereof the oath in schedule H. H. to this chapter.

88. The Returning Officer shall make arrangements for counting the votes in the presence of the candidates, or of the agents of the candidates, as soon as practical after the close of the poll, and shall give to the candidates or their agents notice in writing of the time and place at which he will begin to count the same.

89. The Returning Officer, his assistants and clerks, the candidates, and the agents of the candidates, and no other person, shall be present at the counting of the votes, except peace officers, who may be present with the sanction of the Returning Officer.

90. In case the ballot boxes should not all have been returned on the day fixed for counting the votes, the Returning Officer shall adjourn the proceedings to a subsequent day, such subsequent day not being more than a week later than the day originally fixed for the purpose of counting the votes.

91. In case the ballot boxes or any of them have been destroyed, lost, or for any other reason not forthcoming within the day so fixed, the Returning Officer shall ascertain the cause of the disappearance of the ballot boxes, and shall call on each Deputy Returning Officer whose ballot box is missing, or any other person having the same, for the copy of the "voters' list" kept in the polling booth over which the said Deputy Returning Officer presided on the day of polling, which copy shall be verified by the Deputy Returning Officer and Poll Clerk upon oath in the form of schedule I. I. to this chapter before a Stipendiary Magistrate, a Justice of the Peace or the Returning Officer; and in case such voters' list cannot be obtained, he shall ascertain by such evidence as he is able to obtain the total number of persons who voted at the polling station the ballot box of which is missing, and he may adjourn the counting from time to time, but not for a longer period than one week in all, for the purpose of obtaining such voters' list or evidence.

92. Upon the receipt by him of the missing ballot box, the voters' list or evidence of the total number of votes given at the polling station, the ballot box of which is missing, the Returning Officer shall proceed to count the votes in the presence of the Election Clerk, the candidates or their agents if present, and three electors if the candidates or their agents be not present, and before doing so shall open each ballot box, and taking out the papers shall count and record the number thereof, and then mix together the whole of the papers contained in all the ballot boxes.

(1.) The Returning Officer, while counting and recording the numbers of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards, and take all proper precautions for preventing any person from seeing the numbers on the backs of such papers.

(2.) Any ballot paper not supplied by a Deputy Returning Officer, or on which votes are given to more candidates than are to be elected, or on which anything is written or marked by which the voter can be identified other than the numbering in sections 53 and 54, or which is unmarked, or from which it is uncertain for which candidate the elector voted, shall be void and shall not be counted.

(3.) The Returning Officer shall endorse "rejected" on any ballot paper which he may reject as void.

(4.) The Returning Officer shall then count up the votes given for each candidate upon the ballot papers not rejected.

(5.) The other ballot papers being counted, and a list kept of the number of votes given to each candidate, and of the number of rejected ballot papers, all the ballot papers indicating the votes given for candidates shall be put into a ballot box or boxes marked "accepted," and these ballot boxes, sealed with the seal of the Returning Officer and Election Clerk, and of such of the candidates or their agents as desire to affix their seals, shall be transmitted to the Colonial Secretary in manner provided in section 101; those rejected shall be put back into a different ballot box or boxes marked "rejected," and the sealed packages of counterfoils shall be put into a ballot box or boxes marked "counterfoils."

93. The Returning Officer shall, so far as practicable, proceed continuously with counting the votes, allowing only time for refreshments, and excluding (except so far as he and the agents or candidates agree) the hours between eleven o'clock at night and nine o'clock on the

succeeding morning. During the excluded time the Returning Officer shall place the ballot papers and other documents relating to the election under his own seal and the seals of such of the candidates or their agents as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents.

94. The Returning Officer shall take a note of any objection made by any candidate, his agent, or any elector present, to any ballot paper found in the ballot box, and shall decide any question arising out of the objection; and the decision of such Returning Officer shall be final, subject only to reversal upon a recount before a Judge of the Supreme Court, as hereinafter provided, or on petition or proceedings questioning the election or return. Each objection to a ballot paper shall be numbered, and a corresponding number placed on the back of the ballot paper, and initialed by the Returning Officer.

95. If, upon summing up the votes for each candidate, at the conclusion of the counting, it be found that the number of ballot papers deposited in the missing ballot box or boxes, if added to the votes appearing by the count to have been given to any candidate, could not affect the result of the election, the Returning Officer shall declare elected the candidate or candidates appearing to have a majority of votes.

96. If, upon summing up the votes for each candidate, at the conclusion of the counting, it be found that the number of ballot papers deposited in the missing ballot box or boxes, if added to the votes appearing by the count to have been given to any candidate, might affect the result of the election, the Returning Officer shall direct that another poll shall be held at and for such station, at a time to be appointed by him, as soon as may be convenient within not more than twenty days from the holding of the first poll, of which due notice shall be given; and the Returning Officer shall have power to postpone the declaration of the poll until after the holding of the said second poll at the said polling station. At such second poll only such voters as shall appear by the voters' list furnished by the Deputy Returning Officer, or by the evidence possessed by the Returning Officer to have voted at the first poll, shall be permitted to vote. The said second poll shall be conducted in all respects in the same manner and subject to the same regulations as are hereinbefore provided in relation to the first poll, and shall in all respects, for all purposes, be held to be of the same force and effect as if the same had taken place upon the day first appointed for taking the poll.

97. Upon the receipt of the ballot box or boxes used at such second poll, he shall proceed to count the votes in the manner and subject to the conditions hereinbefore contained in reference to the counting of votes, and upon summing up the votes at such second poll, with the votes previously counted, he shall declare elected the candidate or candidates having a majority of votes.

98. Whenever, upon the final addition of votes by the Returning Officer, an equality of votes is found to exist between any two or more of the candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the Returning Officer shall give such additional or casting vote.

99. At the conclusion of the counting the Returning Officer shall make out a statement in writing, showing—

(*a.*) The number of ballot papers sent by him before polling day to each deputy returning officer.

(*b.*) The number of ballot papers stated by each deputy returning officer to be in the ballot box, delivered to the Returning Officer's messenger, and the number of ballot papers found by him in each ballot box at the commencement of the counting.

(*c.*) The number of unused and spoilt ballot papers stated by each deputy returning officer to be in the package delivered to the Returning Officer's messenger, and the number of such unused and spoilt ballot papers found by him in each package at the conclusion of the counting.

(*d.*) The number of ballot papers accepted by him and the number rejected.

(*e.*) The number of votes upon the accepted ballot papers for each candidate.

Such statement shall be in the form of schedule J. J., and shall be sworn before a stipendiary magistrate or justice of the peace. The Returning Officer shall make and keep a copy of such statement, and certified copies shall be delivered to any candidate or his agent applying for the same, and the original shall be sent with the return to the Colonial Secretary, who shall cause it to be published in the "*Royal Gazette.*"

100. The Returning Officer shall, immediately after the due execution of the writs, make and transmit his return upon the back of the election writ to the Colonial Secretary, that the candidate or candidates having the largest number of votes has or have been duly elected, and shall forward to each of the respective candidates a duplicate or copy thereof, and such return shall be in the form of schedule K. K. to this chapter. The Returning Officer shall also transmit to the Colonial Secretary, with his return, the original statements of the several deputy returning officers, together with the voters' lists used in the several polling districts, and all affidavits, certificates, and other documents used or required at such election, or which may have been transmitted to him by the deputy returning officers. The Returning Officer shall accompany his return to the Colonial Secretary with a report of his proceedings, in which report he shall make any observations he may think proper as to the state of the poll books as received by him.

101. The Returning Officer shall forward to the Colonial Secretary, by a messenger appointed under the provisions of section 87, together with his return, all the ballot boxes, packets of ballot papers and packets of certificates in his possession, the ballot paper accounts, lists of votes marked by the Deputy Returning Officer, statements relating thereto, sent by each, and all the original documents in his possession, endorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the district for which such election was held.

102. If any returning officer wilfully delays, neglects or refuses duly to return any person that ought to be returned to serve in the House of Assembly for any electoral district, such person may, in case it has been determined on the hearing of an election petition respecting the

election for such electoral district, that such person was entitled to have been returned, sue the Returning Officer having so wilfully delayed, neglected or refused duly to make such return of his election in any of the superior courts in this colony, and shall recover a sum of five hundred dollars, together with all damages he has sustained by reason thereof, and full costs of suit: Provided that such action be commenced within one year after the commission of the act on which it is grounded, or within six months after the conclusion of the trial of the petition relating to such election.

103. Upon the result of a recount being certified to him by a Judge of the Supreme Court, or immediately after the expiration of twenty-five days from the date of the return of any candidate or candidates, unless he shall in the meantime have been served with an order for a recount, the Colonial Secretary shall give notice in the "Royal Gazette" of the name or names of the candidate or candidates elected.

104. No person shall be allowed to inspect any ballot papers in the custody of the Colonial Secretary, except under the order of the Supreme Court or a Judge thereof, to be granted by such Court or Judge on being satisfied by evidence, on oath, that the inspection or production of such ballot papers is required for the purposes of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purposes of contesting an election or return, and any such order for such inspection or production may be subject to such conditions as to persons, time, place and mode of inspection, and otherwise, as the Court or Judge making the same may think expedient.

105. The Colonial Secretary shall retain, sealed for one year, all the ballot papers and counterfoils relating to an election forwarded to him in pursuance of this chapter by a returning officer, and then unless otherwise directed by an order of the Supreme Court, shall cause them to be destroyed, and all documents so forwarded other than ballot papers and counterfoils, shall, during the said year, be open to public inspection, and shall, with the ballot papers and counterfoils, at the end of the said year, be in like manner destroyed.

106. In case it is made to appear within twenty-one days after that on which the Returning Officer has made the final addition of the votes, for the purpose of declaring the candidate (or candidates) elected, on the affidavit of any credible witness, to a Judge of the Supreme Court, that such witness believes that the Returning Officer, at any election in counting the votes, has improperly counted or rejected any ballot papers at such election, or has improperly summed up the votes, and in case the applicant deposits within the said time with the clerk of the court the sum of one hundred dollars as a security for the costs of the recount in respect of the candidate appearing by the addition to be elected, the said Judge shall, within four days after the receipt of the said affidavit by him, appoint a time to recount the votes or to make the final addition, as the case may be, and shall give notice in writing to the candidates or their agents of the time and place at which he will proceed to recount the same, or to make such final addition, as the case may be, and shall summon and command the Colonial Secretary, or a clerk in his office, to attend then and there with the parcels containing the ballots used at the election, which command the Colonial Secretary or clerk shall obey.

(*a.*) The said Judge, the Colonial Secretary or clerk, and each candidate or his agent appointed to attend such recount of votes, or in case any candidate cannot attend, then not more than one agent of such candidate, and if the candidates and their agents are absent, then at least three electors of the electoral district in which the recount is held shall be present at such recount of the votes.

(*b.*) At the time and place appointed, the said Judge shall proceed to recount all the votes or ballot papers returned by the Returning Officer, and shall, in the presence of the parties aforesaid, if they attend, open the sealed packets containing, (1) the used ballot papers which have been counted; (2) the rejected ballot papers; (3) the spoilt ballot papers,—and no other ballot papers.

(*c.*) The Judge shall, so far as practicable, proceed continuously, except on Sunday, with such recount of the votes, allowing only time for refreshment, and excluding (except so far as he and the parties aforesaid agree) the hours between six o'clock in the evening and nine on the succeeding morning. During the excluded time (and recess for refreshments) the said Judge shall place the ballot papers and other documents relating to the election close under his own seal and the seals of such other of the parties as desire to affix their seals, and shall otherwise take precautions for the security of such papers and documents.

(*d.*) The Judge shall proceed to recount the votes according to the rules set forth in section 94, and shall verify or correct the ballot paper account and statement of the number of votes given for each candidate; and upon the completion of such recount, or as soon as he has thus ascertained the result of the poll, he shall seal up all the said ballot papers in separate packets and shall forthwith certify the result to the Colonial Secretary, who shall then declare to be elected the candidate having the highest number of votes; and in case of an equality of votes, the names of the candidates who have received an equal number of votes shall then and there be written upon cards, which cards shall be put into a box, and the Colonial Secretary, or his clerk, shall draw one of the said cards from the box in the same manner as is done by the Sheriff in drawing the names of jurors for a jury panel, and the candidate whose name is upon the card thus drawn shall be declared elected.

(*e.*) The Colonial Secretary, after the receipt of a notice from the Judge of a recount of ballots, shall delay giving notice in the "*Royal Gazette*" of the return of a candidate or candidates until he receives a certificate from the Judge of the result of such recount, and upon receipt of such certificate, the Colonial Secretary shall if necessary correct the return made by the Returning Officer in accordance with such certificate.

(*f.*) In case the recount or addition does not so alter the result of the poll as to affect the return, the Judge shall order the costs of the candidate appearing to be elected to be paid by the applicant, and the said deposit shall be paid out to the said candidate

on account thereof so far as necessary, and the Judge shall fax the costs on giving his decision; and if the deposit is insufficient, the party in whose favour costs are allowed shall have his action for the balance.

107. No person who has voted at an election shall, in any legal proceeding to question the election or return, be required to state for whom he has voted.

108. No person shall be excused from answering any question put to him in any action, suit or other proceeding in any Court, or before any Judge, Commissioner or other tribunal, touching or concerning any election or the conduct of any person thereat, or in relation thereto, on the ground of any privilege or on the ground that the answer to such question will tend to criminate such person; but no answer given by any person claiming to be excused on the ground of privilege or on the ground that such answer will tend to criminate himself, shall be used in any criminal proceeding against such person other than an indictment for perjury, if the Judge, Commissioner or President of the tribunal shall give to the witness a certificate that he claimed the right to be excused on either of the grounds aforesaid, and made full and true answers to the satisfaction of the Judge, Commissioner or tribunal.

109. Every Returning Officer and Deputy Returning Officer from the time they shall respectively have taken the oath of office until the day after the closing of the elections, shall be a conservator of the peace, invested with all the powers appertaining to a justice of the peace.

110. Such returning officer or deputy returning officer may require the assistance of justices of the peace, constables, or other persons present to aid him in maintaining peace and good order at such election, and may also, on a requisition, made in writing by any candidate, or by his agent, or by any two electors, swear in such special constables as he deems necessary.

111. Such returning officer or deputy returning officer may arrest, or cause to be arrested, by a verbal order, and placed in the custody of any constable or other person any person disturbing the peace and good order at the election, and may cause such person to be imprisoned under an order signed by him until any period not later than the close of the poll.

112. Except the Returning Officer or his Deputy, or the Poll Clerk, or one of the constables or special constables appointed by the Returning Officer or his Deputy for the orderly conduct of the election or poll, and the preservation of the public peace thereat, no person shall, during any part of the day upon which the poll is to remain open, arm himself with offensive weapons of any kind, as fire-arms, swords, staves, bludgeons, or the like, unless called upon to do so by lawful authority.

113. Every person offending against any of the provisions of section 112 of this chapter shall be deemed guilty of a misdemeanour, punishable by a fine not exceeding one hundred dollars or imprisonment not exceeding one month, or by both, in the discretion of the Court having cognizance of such offence.

114. Every person convicted of a battery committed during any day whereon any election or any poll for any election is begun, holden or proceeded with, within the distance of two miles of the place where such election or such poll is begun, holden or proceeded with, shall be deemed guilty of an aggravated assault, and shall be punished accordingly.

115. No spirituous or fermented liquors or strong drinks shall be sold at any hotel, tavern, or licensed house within the limits of any polling district during the whole of the polling day at any election for the House of Assembly, under a penalty not exceeding fifty dollars for every offence.

116. If any person unlawfully, either by violence or stealth, takes from any returning officer or poll clerk, or from any other person having the lawful custody thereof, or from its lawful place of deposit for the time being, or unlawfully or maliciously destroys, injures, or obliterates, or causes to be wilfully destroyed, injured, or obliterated, or makes, or causes to be made, any erasure, addition of names, or interlineation of names, in, to, or upon, or aids, counsels, or assists in so taking, destroying, injuring, or obliterating, or making any erasure, addition of names, or interlineation of names in, to, or upon any list of voters or writ of election, or any return to a writ of election, or any report, certificate or affidavit, or any document or paper made, prepared or drawn out according to or for the purpose of meeting the requirements of this chapter, or any of them, every such offender shall be guilty of felony, and shall be liable to imprisonment, with or without hard labour, for a period not exceeding three years; and it shall not be necessary in any indictment for such offence to allege that the article in respect of which the offence is committed is of any value or the property of any person.

117. No person shall—

(*a.*) Forge or counterfeit, or fraudulently alter, deface, or fraudulently destroy any ballot paper or the official marks thereon; or

(*b.*) Without authority supply any ballot paper to any person; or

(*c.*) Fraudulently put into any ballot box any paper other than the ballot paper which is authorized by law to be put in; or

(*d.*) Fraudulently take out of the polling station any ballot paper; or

(*e.*) Without due authority destroy, take, open or otherwise interfere with any ballot box or packet of ballot papers then in use for the purpose of the election.

(*f.*) No person shall attempt to commit an offence specified in this section.

Any contravention of this section shall be a misdemeanour, and any person found guilty thereof shall be punishable, if he be a Returning Officer, Deputy Returning Officer, or other officer engaged at the election, by a fine not exceeding two thousand dollars, or by imprisonment for any term less than two years, with or without hard labour, in default of payment of such fine; and if he be any other person, by a fine not exceeding one hundred dollars, or by imprisonment for any term not exceeding twelve months, with or without hard labour, in default of paying such fine.

118. Any Returning Officer, Deputy Returning Officer, Election Clerk or Poll Clerk, who refuses or neglects to perform any of the obligations or formalities required of him by this chapter shall, for each such refusal or neglect, forfeit the sum of two hundred dollars to any

person suing for the same, together with all damages occasioned or sustained thereby, with full costs of suit.

119. Every officer and clerk who is guilty of any wilful misfeasance or any wilful act or omission in violation of this chapter shall forfeit to any person aggrieved by such misfeasance, act or omission, a sum not exceeding five hundred dollars, in addition to the amount of all actual damages thereby occasioned to such person.

120. All damages, penalties and forfeitures (other than fines in cases of misdemeanour imposed by this chapter) shall be recoverable with full costs of suit by any person who may sue for the same, by action of debt or information in any of the Superior Courts of this colony; and in default of payment of the amount which the offender is condemned to pay, not being damages aforesaid, in a civil or *qui tam* action within the period fixed by the Court, the offender shall be imprisoned for any term less than two years unless such fine and costs be sooner paid.

121. It shall be sufficient for the plaintiff in any action or suit given by this chapter to state in the declaration that the defendant is indebted to him in the sum of money thereby demanded, and to allege the particular offence for which the action or suit is brought, and that the defendant hath acted contrary to this chapter without mentioning the writ of election or the return thereof.

122. In any such civil action, suit or proceeding, as last aforesaid, the parties to the same, and the husbands or wives of such parties, respectively, shall be competent and compellable to give evidence to the same extent and subject to the same exceptions as in other civil suits; but such evidence shall not thereafter be used in any indictment or criminal proceeding under this chapter against the party or person giving it.

123. In any indictment or other prosecution for an offence in relation to the nomination papers, ballot boxes, ballot papers and marking instruments at an election, the property in such papers, boxes and instruments may be stated to be in the Returning Officer at such election.

124. It shall be lawful for any of the Superior Courts before which any criminal prosecution is instituted for any offence against the provisions of this chapter, to order payment by the defendant to the prosecutor of such costs and expenses as appear to the Court to have been reasonably incurred in and about the conduct of such prosecution; but the Court shall not make such order unless the prosecutor, before or upon the finding of the indictment, or the granting of the information, enters into a recognizance with two sufficient sureties in the sum of five hundred dollars and to the satisfaction of the Court, to conduct the prosecution with effect and to pay the defendant his costs in case he be acquitted.

125. In case of an indictment or information by a private prosecutor for any offence against the provisions of this chapter, if judgment be given for the defendant he shall be entitled to recover from the prosecutor the costs sustained by the defendant by reason of such indictment or information; such costs shall be taxed by the proper officer of the Court in which the judgment is given.

126. It shall not be necessary on the trial of any suit or prosecution under this chapter to produce the writ of election, or the return thereof, or the authority of the Returning Officer founded upon any such writ of election, but general evidence of such facts shall be sufficient *primâ facie* evidence.

127. Every prosecution for a misdemeanour under this chapter, and every action, suit or proceeding for any pecuniary penalty given by this chapter to the person suing for the same, shall be commenced within the space of one year next after the act committed and not afterwards, unless the same be prevented by the withdrawal or absconding of the defendant out of the jurisdiction of the Court, and being commenced shall be proceeded with and carried on without delay.

128. The Colonial Secretary may deliver certified copies of any writ, list of voters, returns, reports and other documents, except counterfoils, in his possession, relating to any election; and such copies, so certified, shall be received and be held as *primâ facie* evidence before any court or judge in this colony on the trial of any controverted election or any prosecution or suit under this chapter.

129. Any person before whom it is hereby required, or intimated by any form in the schedules to this chapter, that any oath be taken or any affirmation made in the manner herein provided, shall have power to administer the same, and shall do so gratuitously, and the Returning Officer at any election shall have the power to administer any oath or affirmation required with respect to such election by this chapter; and the Deputy Returning Officer may administer such oath or affirmation, except only such as may be required to be administered to the Returning Officer.

130. Every person taking an oath or affirmation under this chapter who wilfully swears or affirms falsely, shall be deemed guilty of perjury.

131. For the better carrying out of any election of members of the House of Assembly, the Governor shall be authorized to prescribe or give, by Proclamation, any orders or directions not inconsistent with the provisions of this chapter.

132. No election shall be declared invalid by reason of a non-compliance with the rules contained in this chapter as to the taking of the poll or the counting of the votes, or by reason of any want of qualification in the person signing a nomination paper received by the Returning Officer under the provisions of this chapter, or of any mistake in the use of the forms contained in the schedules to this chapter, if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in this chapter, and that such non-compliance or mistake did not affect the result of the election.

133. One copy of this chapter and of such instructions, approved by the Governor in Council, as may be required to carry out the elections according to the provisions of this chapter (with a copious alphabetical index prefixed), for the Returning Officer, and one for each of his deputies, shall be transmitted with the writ of election to each returning officer.

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ANNO QUINQUAGESIMO SEXTO VICTORIÆ REGINÆ.

Chapter 17.

An Act to amend the "Election Act, 1889."

[Passed 24th May, 1893.]

Section
1. Repeal and substitution for section 35 of the "Election Act, 1889."
2. Amendment of section 69.
3. New section 189 as to taking of oaths.
4. Amendment as to voter's qualification.
5. Form of oath as prescribed in s. 4, 53 Vic., cap. 13.

Be it enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—

1. Section 35 of the "Election Act, 1889," is hereby repealed, and the following substituted therefor:

"The Governor shall, by proclamation, fix the days and places of nomination and the days of polling in the several electoral districts, and not less than twenty-one days shall intervene between the publication of the proclamation and the day of polling. At every general election one and the same day shall be fixed for the nomination, and one and the same day for the polling in all the electoral districts; and the day for holding the poll shall be the tenth day next after the expiration of the day fixed for the nomination of candidates. The Court House or some other public or private building, in the most convenient locality for the great body of the electors of each electoral district, shall be the place fixed for the nomination of candidates."

2. The following shall be, and be construed as part of section 69 of the "Election Act, 1889":—

"Provided that in the electoral district of St. John's the poll shall be kept open till eight o'clock in the evening."

* * * * * * * * * *

5. The following shall be the form of oath prescribed by section 4 of Chapter 13 of 53 Vic., and shall stand as schedule M. M. of the "Election Act, 1889":—

"I, A. B. (Candidate or agent, as the case may be), do solemnly swear that I have *bonâ fide* reason to believe that (here insert the name of applicant and the particular ground of objection) is

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ANNO SEXAGESIMO PRIMO VICTORIÆ REGINÆ.

Chapter 42.

An Act to amend the "Election Act, 1889."

[Passed 30th March, 1898.]

Section
1. Elector may be required to take oath in schedule A.
2. Addition to or alteration of polling stations unlawful.
3. Repeal.
4. Voter whose name has been omitted from election list may vote.
5. Public works not to be carried on within ten days of election, except under contract authorized by the Legislature; Works of urgent necessity; Works performed under local road boards.
6. Candidate not to travel on steamer employed by Government.
7. Candidate not to control or advise Returning Officer.
8. Public officer not to be employed in connection with election.
9. Payment of Agents unlawful.
10. Fees.

Whereas it is necessary to amend "The Election Act, 1898."

Be it therefore enacted by the Governor, the Legislative Council and House of Assembly, in Legislative Session convened, as follows:—

1. Any candidate's agent or Deputy Returning Officer may require any elector who enters any booth for the purpose of voting, to take the oath or affirmation set out in schedule A hereto, which the Deputy Returning Officer is hereby empowered to administer; and no elector shall be entitled to vote who refuses to be sworn to the said oath when so required by any of the persons aforesaid. In any such case the Deputy Returning Officer may require the candidate's agent to swear, in the form in schedule B to this Act, that he does not require the said oath or affirmation to be put to the voter for the purpose of causing delay in the polling at the booth.

2. Section 34 of "The Election Act, 1889," is hereby amended by the addition of the words at the end thereof, "Provided that it shall be unlawful after the day fixed by proclamtion for the nomination of candidates for any additional polling station to be appointed, or for any of the polling stations previously appointed to be altered."

3. Section 66 of "The Election Act, 1889," is hereby repealed.

4. Any duly qualified voter whose name has been omitted from the list of registered voters may attend at the booth and claim the right to vote. Upon his answering upon oath such questions touching his qualification to vote as may be prescribed by rules to be made by the Governor in Council and published in the "Royal Gazette," and put to him by the Deputy Returning Officer, and upon its being made to appear to the Deputy Returning Officer that

the applicant is qualified he shall be admitted to vote and his name entered on a separate list, and his qualification to vote shall be subject to enquiry and determination by the Court in the event of a trial of a controverted election.

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10. The fees to be paid in connection within any election shall be those contained and set forth in Schedule C. to this Act.

ANNO SEXAGESIMO SECUNDO ET TERTIO VICTORIÆ REGINÆ.

CHAPTER 8.

AN ACT to amend the Election Law.

[Passed 19th July, 1899.]

Section 1. Repeal.

Be it enacted by the Governor, the Legislative Council and the House of Assembly, in Legislative Session convened, as follows:—

1. Section 8 of the Act 61 Vic., Cap. 42, entitled "An Act to amend 'The Election Act, 1889,'" is hereby repealed, and the following substituted therefor:—

"8. No person in the employ of any department of the Government, or employed upon any public works under any department of the Government, or employed upon any public work, being performed under a contract with the Government, shall be eligible to hold any office in connection with any election, or to act as any candidate's agent: Provided that the provisions of this section shall not be taken to apply to any district judge, stipendiary magistrate, clerk of the peace, deputy land surveyor, surveyor of lumber, fishery warden or constable."

No. 4.

CAPE COLONY.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received August 25, 1906.)

MY LORD, Government House, Cape Town, August 7, 1906.

I HAVE the honour to transmit to your Lordship, with reference to your despatch of 14th June last, a minute from Ministers, No. 1/516, on the subject of the machinery and cost of Parliamentary Elections in foreign countries and in the Colonies.

I have, &c.,
WALTER HELY-HUTCHINSON.

Enclosure in No. 4.

(1/516.)

(Minute.)

Prime Minister's Office, Cape Town, July 30, 1906.

Ministers have the honour to acknowledge the receipt of the minute of His Excellency the Governor, No. 592, dated 3rd instant, enclosing a copy of a despatch, dated 14th June, 1906, from the Right Honourable the Secretary of State for the Colonies, relative to the machinery and cost of Parliamentary Elections in foreign countries and in the Colonies.

Ministers have the honour to forward herewith, for His Excellency's information, a copy of the revised edition of the Codified Circular Instructions, 1904, and to invite attention to Chapter IV. relative to Parliamentary Elections, which will be found to contain full information as regards the machinery employed in connection with Parliamentary Elections in this Colony.

The question of the cost of such elections is specifically dealt with in Section (d) of the same publication.

T. W. SMARTT.

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3. Parliamentary Elections.

(a.) Instructions to Returning Officers.

19. The following are the most recent Instructions issued for the guidance of Returning Officers:—

A. Proceedings at Nomination Court for Assembly Elections.

I. The Court should, where convenient, be held in the court room of the town or place in which the office of the Civil Commissioner of the electoral division is situated, but if from any reason it is undesirable to use the court room, the Governor may, in terms of Section 16 of Act 19 of 1898, appoint some other place in the electoral division for the purpose.

II. In opening the court for the nomination of candidates, the Returning Officer will refer to the Proclamation by which it is directed, and to the object for which it is held.

III. The order in which the candidates shall be proposed will probably be arranged by themselves or by their committees. Should any question arise upon this point the matter should be decided by lot in open court.

IV. Every person proposed as a candidate for election must be nominated by a voter registered for the electoral division for which the election is being held, and must be seconded by another such voter.

V. Should the candidates wish to address the electors, they will be at liberty to do so after the nominations have been made, and they ought to do so in the order in which they were proposed.

VI. Probably no one, except a proposer, a seconder, or a candidate, will desire to speak. But no elector who may have questions to put to the candidates, or observations to address to the other electors, is to be regarded as out of order. At what time and to what length such an elector is to be heard must depend upon circumstances and the general feeling of the audience.

VII. Proposers, seconders, candidates, and all others who may have to speak, will generally speak in English. But there is no legal objection to their speaking in Dutch.

VIII. Requisitions have been, in many instances, presented to candidates for the House of Assembly, soliciting them to stand. But no requisition or previous notice is necessary, and, therefore, no candidate can be objected to upon the ground that he is proposed without any requisition or previous notice that he was to be put in nomination.

IX. Generally speaking, any person qualified to be registered as a voter in any electoral division, is qualified to be elected as a member of the Assembly for any electoral division. There are, however, three exceptions to this general rule: 1st, Government officers not being members of the Executive Council; 2nd, uncertificated insolvents; and 3rd, aliens who have been registered by virtue merely of deeds of burgher-ship. These three classes of persons can be registered and elect, but they cannot themselves be elected.

X. If, in any case, a Government officer, not being a member of the Executive Council, an uncertificated insolvent, or an alien, should be proposed and seconded, and should be objected to as ineligible, the question will arise whether the Returning Officer should or should not recognise the party as a candidate. It is considered that the Returning Officer should recognise him as such. The law has not made the Returning Officer the judge of the eligibility of the candidates. He has, in fact, no means upon the spot of judging of the eligibility of the candidate.

He cannot swear a candidate objected to, nor any other person; and even if he could, the best evidence upon the point may be documentary, and at a distance. The Returning Officer, it would seem, should treat as a candidate every person duly proposed and seconded. If any person should put forward as a candidate a disqualified person, the other candidates or their friends, will, no doubt, cause ample public notice of the disqualification to be given to the electors. The effect of this public notice will in case a disqualified candidate should be ultimately returned, be determined in the proper quarter. The law, however, does not seem to cast the responsibility of rejecting any candidate as disqualified upon the Returning Officer, and it is conceived he ought not to assume it.

XI. When no greater number of candidates are proposed than there are members to be chosen, the duty of the Returning Officer will simply be to declare the candidates duly elected. When there is thus no contest, the fitting time for the candidates, or any electors, to address the assembly would seem to be after the former shall have been declared duly elected.

XII. In case more candidates are proposed than can all be elected, a show of hands is to be called for by the Returning Officer. It is needless to point out that this sort of general appeal to the public feeling can never be made with anything like precision. To count hands on such an occasion, and for such a purpose, would be a mere waste of time. The Returning Officer will form, as best he can, a comparative estimate of the number held up. But he will not, of course, attempt to separate electors from non-electors in the mixed assembly, since any such attempt would lead to delay and confusion, and be fruitless of practical result.

XIII. When the Returning Officer has announced, to the best of his judgment, the result of the show of hands, any candidate, or any voter acting for any candidate, may demand a poll. Thereupon, the Returning Officer will take from each candidate, and two sureties, security in £50, for the payment of a proportional share of the expenses of the poll, or a cash deposit of £50, if he has any doubt as to the ultimate recovery

of the amount. This security will, it may be assumed, be always ready. If not, the Returning Officer will be governed by the provisions of the 48th Section of the Constitution Ordinance, which are full and explicit upon the subject, and meet every possible case. (In this connection the instructions in Sub-Sections X. and XI. of Section 36 of this Chapter should be noted.)

XIV. After security has been given by, or on behalf of, each candidate, the Returning Officer must, before adjourning the court, announce the day upon which the poll will be taken at the respective polling places. One and the same day should be appointed, if possible, for taking the poll at all the polling places in the electoral division.

In the case of *general elections*, under the provisions of Section 23 of Act 19 of 1898, His Excellency the Governor fixes one and the same date for the taking of polls in all electoral divisions, save and except Cape Town and Graham's Town.

XV. The names of the candidates who have been put in nomination must be posted at each polling place for at the very least *three* clear days before the day fixed for taking the poll at such place.

XVI. Under these circumstances, and as no Returning Officer can be certain until the court has been held, that there will be no poll taken in his electoral division, he will see the propriety of preparing beforehand, and having in his possession on the day of nomination, a notice, to be read out in court, and afterwards posted at the court room, stating the day and the hour at which the poll will open at each respective polling place, and the day and the hour at which it will close. He must under the law also notify the polling stations on nomination day. The list of such places should be sent to the Under Colonial Secretary on form P.E. 51 as soon as possible after the nomination court.

XVII. In framing this notice the Returning Officer will fix the day [except in the case of general elections (*vide* concluding portion of paragraph XIV. of these Instructions)] for the several polling places as early as may be consistent with due care, to allow full time for the printing and distribution of ballot papers, ballot boxes, &c., &c., for the Polling Officers destined to take the poll thereat to be at their posts, and for the fixing up thereat, for at least three clear days, of the names of the candidates put in nomination, and of the day and hours of the commencement and the close of the poll at the respective polling places.

XVIII. Three clear days means—three days exclusive of the day of posting the notice at the polling place, and of the day of commencing to take the poll at the polling place. Thus if the poll commences on the 24th of a month at a polling place, the notice must be posted there not later than the 20th.

XIX. In order that there may be no undue delay in having the ballot papers printed, the Returning Officer should at once telegraph to the Under Colonial Secretary, the names in full, the addresses and the descriptions (occupations) of the persons nominated, together with an estimate of the number of papers likely to be required.

B. Fixing Polling Day and Polling Places, &c., for Council Elections.

XX. The procedure with regard to fixing polling places and the dates of poll at Legislative Council elections is fully set forth in Section 32 of the Constitution Ordinance. The steps for carrying out the provisions of the Section mentioned with regard to the issue of the necessary Proclamations will be taken in the Colonial Secretary's Office. The list of polling places should be submitted to the Under Colonial Secretary on form P. E 50, as soon as possible after the day fixed for the receipt of requisitions.

C. Arrangements for taking the Poll.

*XXI. It will be observed that the 49th Section of the Constitution Ordinance directs the Returning Officer, when delivering or transmitting to the Polling Officer appointed to take the poll at any polling place, a list of the registered voters for the division, to deliver or transmit to the same person, at the same time, the names of the candidates who have been proposed, and the same Section then directs the Polling Officer receiving the names to post them up at the polling places forthwith. This is the posting up between which, and the taking of the poll, three clear days must elapse. This 49th Section seems to have contemplated that the Polling Officer would probably be a person resident at or near the polling place. There may be cases, however, in which the Polling Officer does not reside at or near the polling place, and in that case, if there is to be no posting of names at any polling place until the Polling Officer arrives at the polling place and posts them, the Polling Officer must necessarily remain there at least three clear days doing nothing. This might in many cases, be an inconvenience.

*XXII. The inconvenience just described could be avoided in case the Polling Officer, after receiving from the Returning Officer the names of the proposed candidates, were able to cause them to be posted at the polling place which he is to visit, before and in anticipation of his own arrival there. It is presumed that in some cases, at least, the notice containing the names of the candidates, and the time when the poll is to open and to close at a particular polling place (for a single notice may embrace both points, and both are necessary), might be safely sent forward by the Polling Officer to the Field-cornet, or some other trustworthy person, with a request that he will fix it

* These instructions only apply to Assembly elections.

up securely, and without delay, in some conspicuous place at such polling place, for public information. By this means the Polling Officer will not be obliged to arrive at the polling place sooner than will be necessary to take the poll. But if, in any case, no means exist of securing, with certainty, the safe transmission and punctual posting of the notice referred to, so that the notice shall, in anticipation of the arrival of the Polling Officer, be posted not less than three clear days before the day named in the notice for the opening of the poll, it will be more prudent, in fixing the day for the opening of the poll at such a polling place, to allow time for the Polling Officer to arrive at it and post there himself the notice in question for three clear days before the commencement of the poll. This notice whether sent on at once by the Polling Officer to be posted by some one else, or kept in his possession to be posted by himself, ought to be signed by him in attestation of its genuineness.

XXIII. The Returning Officer must provide each Polling Officer with a certified copy of the existing list of registered voters in the division, and a certificate of his appointment as such. The Returning Officer will also arrange for the appointment of such assistants and constables as he may consider necessary at each polling place.

XXIV. In addition to the above the Returning Officer will supply each Polling Officer with the following articles, viz.:—

(*a.*) A printed copy in the English and Dutch languages of the ballot clauses of Act 9 of 1892, being portions of Sections 37 to 84 of the said Act. (*Vide* P.E. 33 and P.E. 34).

(*b.*) A printed copy of the Ballot Regulations framed under Act 9 of 1892, in the English and Dutch languages. (P.E. 33 and P.E. 34).

(*c.*) A ballot box so constructed that the ballot papers can be introduced therein but cannot be withdrawn without the box being unlocked.

(*d.*) A sufficient number of ballot papers, as decribed in Section 37 of Act 9 of 1892, and in the form set forth in Schedule F of the said Act.

(*e.*) A sufficient number of papers in the same form, but of a different colour, to be called "tendered ballot papers."

(*f.*) A sufficient number of printed copies in the English and the Dutch languages of the directions for filling up ballot papers as set forth in Schedule F of Act 9 of 1892.

(*g.*) Instructions and implements for placing the special mark on ballot papers.

(*h.*) Such other stationery and notices as may be necessary for the proper conduct of the election, including a supply of form P.E. 46 *re* closing of bars. In this connection it should be noted that railway bars are classed as ordinary bars for purposes of the provisions of Section 35 of Act 48 of 1899.

XXV. At some polling places it may be possible to arrange for the screening off of portions of the polling place so as to provide the compartment or compartments for voting.

In cases, however, where this cannot be done, the Returning Officer will supply folding compartments for the purpose.

XXVI. The Returning Officer should obtain full information as to accommodation, &c., available at each place proposed to be appointed with the least possible delay, and in case a contest is probable, voting compartments should be sent to places where required before date fixed for nomination of candidates.

XXVII. The implement for placing the special mark on the ballot papers must be kept secret, and should be transmitted in a sealed packet, with other articles mentioned in the foregoing paragraph XXIV. The Polling Officer should be informed that the parcel containing the stamp is on no account to be opened until the morning of the day fixed for the taking of the poll.

XXVIII. The Returning Officer should bear in mind that appointment of polling places for Assembly elections is left by the Ordinance in his hands. He is required, however, to appoint *at least* one in each field-cornetcy in his electoral division. Publication of the list of polling places for Assembly elections in the "Gazette" is not required by law, but it is usual for such list to be so published. In connection with this subject Returning Officers' attention is directed to Section 66 of Act 9 of 1892.

XXIX. Section 29 of Act 16 of 1856 directs that the poll shall be taken in the divisional town of every electoral division by the Civil Commissioner of such division.

XXX. Other Polling Officers, being residents in the electoral division, are appointed by the Governor. The Returning Officer should, therefore, transmit to the Under Colonial Secretary the names of persons recommended for appointment, in order that the approval of the Governor in Council may be obtained. The names of the Polling Officers, excluding Returning Officers, Field-cornets and Assistant Field-cornets, should be submitted to the Under Colonial Secretary, on form P.E. 52 as far as the Legislative Council is concerned, and on form P.E. 53 for the Assembly.

XXXI. Section 69 of Act 9 of 1892 prohibits the appointment of any person by a Returning Officer for the purposes of an election who has been employed by another person in or about the election.

XXXII. The Returning Officer, and every officer, clerk or agent, authorised to attend at a polling place, or at the counting of votes, is required to make a declaration of secrecy—the Returning Officer before a Justice of the Peace, and any other officer or agent before the Returning Officer or a Justice of the Peace.

The Returning Officer should be careful to ascertain, as far as practicable, that the Polling Officers, assistants and Police Officers, have made the declaration before the poll opens.

All such declarations should be sent to the Returning Officer.

D. Counting of Votes.

XXXIII. The Returning Officer must make arrangements for counting the votes as soon as practicable after receipt of *all* the ballot boxes. Notice of the time and place fixed for the counting must be given to the candidates and the agents appointed to attend on their behalf.

XXXIV. The Returning Officer must, as far as practicable proceed continuously with the counting, allowing only time for refreshment, and excluding the hours between seven at night and nine on the following morning.

By arrangements, however, with the agents, the counting may commence or continue during the hours excluded.

XXXV. The Returning Officer, his assistants and clerks, and the agents of the candidates, and no other person, except with the sanction of the Returning Officer, may be present at the counting of the votes.

The number of agents of each candidate to be admitted must be fixed by the Returning Officer.

XXXVI. Before the Returning Officer proceeds to count the votes, he must, in the presence of such agents as may be present, open each ballot box, take out, count and record the number of ballot papers found therein.

Section 57 of the "Franchise and Ballot Act, 1892," provides for this record being compared with the ballot paper accounts *after* completion of the counting, but it will, as a rule, be found more convenient to compare the number at once with the number recorded on the ballot paper account, thus obviating complications that might arise through a mistake occurring in counting the papers which it would be difficult to trace after contents of all the boxes had been mixed.

The papers will, as a rule, be found folded in the boxes. If they are counted and mixed before being unfolded the candidates and their agents will not be able to ascertain the number of votes given to any candidate at a particular polling place, as they could do if the provision of the law that while *counting and recording the number of ballot papers*, and counting the votes, the Returning Officer shall keep the ballot papers with their faces upwards, were strictly adhered to.

XXXVII. The process of counting, especially in single member constituencies, where every valid paper can be marked for one candidate only, is exceedingly simple. The Returning Officer can employ a number of counters and these he should arrange in pairs together with an agent on behalf of each candidate. *One of the counters should separate the ballot papers according to the candidates for whom they are marked, laying aside every paper not marked in strict accordance with the provisions of the Ballot Act. The other counter should count the number of votes given for each candidate in the presence of the agents, thus rendering error or fraud on the part of the counters impossible. The papers should be counted in tens, placing those given for the same candidate alternately crosswise.*

E. Deciding objections to Ballot Papers.

XXXVIII. The duty of deciding on doubtful ballot papers is imposed on the Returning Officer.

The decision of the Returning Officer as to any question arising in respect of any ballot paper is final, subject to reversal on petition questioning the election or return.

XXXIX. The Returning Officer must endorse "rejected" on any paper which he may reject as invalid, and must add to the endorsement "rejection objected to" if objection be made by any agent to his decision. The omission of the Returning Officer to make the endorsements will not invalidate the election.

XL. The Returning Officer must report to the Colonial Secretary on P.E. 14, the number of ballot papers rejected by him under the several heads of:—

(1) Want of official mark;
(2) Voting for more candidates than entitled to;
(3) Writing or mark by which voter could be identified;
(4) Unmarked, or void for uncertainty.

The Returning Officer must, on request, allow any of the agents of the candidates to copy such report.

F. Declaration of result of Poll and disposal of Papers.

XLI. On completion of counting, the Returning Officer shall, in case of *Assembly elections*, forthwith declare to be elected the candidate, or candidates, if there is more than one vacancy to be filled, having a majority of votes, and report to the Under Colonial Secretary by wire the name (or names) together with the number of votes received by each candidate. The wire should as soon as possible thereafter be confirmed on form P.E. 54.

In the case of *Council elections*, the Returning Officer simply reports to the Under Colonial Secretary by wire the number of votes received by each candidate. The wire should be confirmed as soon as possible by letter on form P.E. 54a.

XLII. The Returning Officer then sends all papers to the Colonial Secretary in terms of Section 58 of the "Franchise and Ballot Act, 1892," made up in properly labelled parcels in accordance with the list printed on form P.E. 63, for the guidance of Returning Officers in transmitting election documents, &c., to the Colonial Secretary.

XLIII. Returning Officers of electoral divisions comprising more than one fiscal division should return, at their early convenience, to Civil Commissioners of respective

fiscal divisions the ballot boxes received from such fiscal divisions, after the contents have been withdrawn.

G. Duties, &c., of "Returning Officers" under Act 26 of 1902 at Elections.

XLIV. The "Returning Officers" referred to in the Act, as far as Assembly elections are concerned, will of course be the officers ordinarily discharging the duties of the Returning Officers for the electoral *divisions* in connection with elections for the House of Assembly; but, as regards Legislative Council elections, some difficulty has arisen, seeing that, under the Constitution Ordinance, the Colonial Secretary is practically the Returning Officer. The question was therefore submitted for legal opinion, and it has been held that it is competent to appoint one of the Civil Commissioners of each electoral *province* to discharge the duties of Returning Officer for purposes of Act 26 of 1902. The following Civil Commissioners have therefore been appointed by Government Notice 811 of 1903, to be Returning Officers for carrying out the provisions of the Act in and for the electoral *provinces* stated below:—

1. Civil Commissioner, Cape Town, Western Province.
2. „ „ Worcester, North-Western Province.
3. „ „ Swellendam, South-Western Province.
4. „ „ Graaff-Reinet, Midland Province.
5. „ „ Grahamstown, South-Eastern Province.
6. „ „ Cradock, North-Eastern Province.
7. „ „ King William's Town, Eastern Province.
8. „ „ Kimberley, Griqualand West.
9. „ „ Vryburg, British Bechuanaland.

XLV. The duties of the Returning Officers are very fully defined by the Act, but, in order to prevent any possible omission, special attention is directed to the following points which should not be lost sight of, viz.:—

(*a.*) The full name and address of the election agent appointed by each candidate *as far as Assembly elections* are concerned should be communicated by telegram to the Colonial Secretary's Office on or before nomination day for insertion in the "Government Gazette." In the event of no election agent having been nominated by or on behalf of the candidate, the fact should be duly reported in the telegram, so that the necessary steps can be taken at the Colonial Secretary's Office to gazette the candidate himself as his election agent.

(*b.*) Candidates for the Legislative Council will be called upon by Notice in the "Gazette" to report the names of their election agents to the Colonial Secretary's Office, so that the duties of the nine Returning Officers, mentioned in the schedule to paragraph XLIV. of these Instructions will not include the proceedings *re* nomination, &c., of election agents on behalf of Legislative Council candidates, but any other duties required of Returning Officers by the Act will be discharged *after that date* by the nine officers detailed in the Schedule referred to.

(*c.*) Notices as regards these election agents are not only required to be inserted in the "Government Gazette" and any paper circulating in the division, but should also be posted up at the usual place where official notices are available for public inspection. The cost of publishing these notices, except as regards the "Gazette," is chargeable to the candidates.

(*d.*) Only *one* election agent is allowed to each candidate whether such candidate is standing for the Legislative Council or House of Assembly.

(*e.*) Each election agent may, *not less than three clear days* before polling day, appoint *four* sub-agents on behalf of each candidate within each electoral *division*, and the full names and addresses of such sub-agents are also to be advertised as explained in above sub-section (*c.*) Returning Officers for both Legislative Council and Assembly elections should therefore, immediately on receipt of each nomination, telegraph to the Colonial Secretary's Office the full name and address of every sub-agent for insertion in the "Government Gazette" at the earliest possible date.

(*f.*) Any changes in the appointment of election agents and sub-agents, referred to in the 16th and 17th Sections of the Act, should also be reported to the Colonial Secretary's Office by telegram for insertion in the "Government Gazette," besides being advertised locally, as previously explained.

(*g.*) One polling agent, a clerk, and a messenger are allowed for each polling station on behalf of each candidate, but the names and addresses of these need not be publicly notified.

XLVI. Supplies of forms P.E. 61 and 62 with annexures 61 A.—N. which have been prepared for the use of candidates and their election agents under the provisions of the second Schedule, Part I. of Act 26 of 1902, can be obtained by requisition on the Government Stationery Office in the usual course.

XLVII. It will be noticed on reference to Section 24 of the Act that every candidate (whether elected or defeated) is required to forward to the Returning Officer a return of his expenditure *within fifty days* after the day of the official declaration of the poll, so that the Returning Officer should see that each candidate or his election agent is supplied on or about polling day with about four copies of each of the forms to be ultimately rendered to the Returning Officer *in duplicate*, the original, with supporting returns and receipts being retained by the Returning Officer for purposes of the 26th Section of the Act, and the duplicate forwarded to the Colonial Secretary's Office for the information of the Colonial Secretary.

In view of the very stringent provisions of Section 24 (5) of the Act, Returning Officers should remind election agents, after the results of the polls have been published, of the time allowed them, under the first sub-section of that Section of the Act, for

sending in the returns of receipts and expenditure, and at the same time draw their attention to the provisions of the fourth sub-section of the same Section of the Act, which requires that the candidate must transmit to the Returning Officer his return of expenses at the same time as the election agent transmits his return or within seven days afterwards.

In submitting the duplicate P.E. 61 and 62 to Colonial Secretary's Office, the Returning Officer's covering letter should clearly state whether the limit of expenditure allowed each candidate under the Act has been exceeded or not.

The payments to be scheduled on the annexures to form P.E. 61 and 62 should be supported by detailed receipted invoices whenever the amount involved is £2 or over.

Disputed and *unpaid* claims, if any, should be scheduled on the annexures 61 M. and 61 N., but are not to be included in the details of the covering forms P.E. 61 and 62. The Returning Officer's letter forwarding duplicates of the latter forms for the information of the Colonial Secretary should, however, enclose duplicates of those two annexures as well.

XLVIII. In regard to the expenditure incurred by the Returning Officer in connection with the holding of the polls for Assembly elections, and which figures as the first item on the Cr. side of the forms P.E. 61 and 62, it will not be necessary to delay the sending in to the election agent of the detailed statement for inclusion in annexure 61A until the vouchers for Polling Officers' fees, &c., have been submitted to the Colonial Secretary's Office for approval and finally returned approved. *The claim may be prepared by the Returning Officer on the accounts as rendered, and should be forwarded to the election agent within the period of thirty-five days allowed by Section* 20 (3) *of the Act.* The amount claimed should on no account exceed the sum of £50, as explained in the footnote to the forms P.E. 61 and 62.

XLIX. The 26th Section of the Act requires the Returning Officer to publish a summary of the returns furnished by the election agents, *within fourteen days after receipt thereof*, in an English or Dutch newspaper circulating in the electoral division; the notice should state that the returns are available for inspection at his office, and it is suggested that the time during which inspection could be made should be at least twice a week for two years between the hours of 10 a.m. and 3 p.m. The expenditure incurred in advertising the summary and notice should be charged as an advance against the candidate in the Returning Officer's accounts with the Colonial Secretary's Department, and should be recovered from the candidate as soon as possible after the accounts have been adjusted by the Returning Officer. In the event of the Returning Officer considering refund doubtful, a deposit should be claimed to cover the probable cost of advertising, and the amount credited to "Suspense Account" in the Returning Officer's C.A. 44 with the Colonial Secretary's Department, refund being subsequently made to the candidate if the expenditure amounts to less than the deposit.

L. The fees referred to in Section 26 (2) of the Act should be entered in a fee book to be specially opened for that purpose with a description of the inspection, or the nature of the copies of documents supplied. The revenue stamps in payment of the fees should be pasted in the fee book opposite each entry, and duly cancelled by any authorised officer, and the fees accounted for in the Returning Officer's revenue returns in the usual manner.

LI. In regard to the legal expenses referred to in Part II. (1) to the first Schedule to the Act, the Returning Officer will be entitled to the payment of a fee of two guineas (£2 2s. 0d.) for his services in connection with the detailed requirements of the Act. This fee is in addition to the fee to be drawn by the Returning Officer in connection with the taking of the Poll, and which, as far as Assembly elections are concerned, would be included in the detailed statement referred to in paragraph XLVIII. of these Instructions, and, as far as Legislative Council elections are concerned, charged direct against the Parliamentary Vote. The fee of £2 2s. 0d. referred to shall be brought up by the election agent on annexure 61L. as "miscellaneous expenditure," and not on 61 A., which should be used for the Returning Officers' expenditure on the polls only. If there is more than one candidate the fee should be apportioned amongst them as far as their expenditure returns are concerned.

LII. The expenditure on "advertising" in a local paper referred to in paragraph XLV. (*c.*) of these Instructions should, of course, be recovered from the election agent as part of the expenditure mentioned in Section 24 (1) (*a.*) of the Act, and should be included by him on annexure 61 H.

LIII. It should be stated that the foregoing paragraphs of these Instructions (Part G.) deal mainly with the "administrative" Sections of the Act 26 of 1902, but, as the remaining portions of the Act are very important, it is trusted that Returning Officers will make a special study of the whole of the Act to enable them to carry out its provisions thoroughly and satisfactorily during the course of general or bye-elections.

(*b.*) *Instructions to Polling Officers.*

20. The following are the most recent Instructions for the guidance of Polling Officers:—

1. *Preliminary.*

I. The Polling Officer and his assistants (if any) will carefully read and make themselves masters of the following Instructions.

II. If the Polling Officer finds any explanation to be necessary upon these Instructions, he will apply to the Returning Officer, and his application will be at once attended to.

III. These Instructions are to be considered as a guide and assistant to the Polling

Officer merely. They are not intended to control his discretion or to limit or define his powers. The Polling Officer must make himself acquainted with the law and with the duties of his office.

IV. The Polling Officer and his assistants (if any) must be at the polling station at a *quarter before eight o'clock* in the morning precisely.

V. The Polling Officer and his assistants (if any) should see:—

A. In the case of Election of a Member of the Legislative Council.

1st, that a notice [P.E. 35a (large) or 36b (large) according as one or three candidates have to be elected for the electoral province] containing directions in English and Dutch for the guidance of voters in voting are posted *outside the station*: 2nd, that before and during the polling hours the directions in English and Dutch on P.E. 35a (small) or 35b (small) for the guidance of voters in voting, and examples of the ballot paper are posted *inside each voting compartment;* and 3rd, that one or more properly pointed black lead pencils are placed inside each voting compartment.

B. In the case of Election of a Member of the House of Assembly.

1st, that a notice [P.E. 35 *c*, *d*, *e*, *f* or *g* (large) according as one, two, three, four or five candidates have to be elected for the electoral division] containing directions in English and Dutch for the guidance of voters in voting are posted *outside the station;* 2nd, that before and during the polling hours the directions in English and Dutch on P.E. 35 *c*, *d*, *e*, *f* or *g* (small) for the guidance of voters in voting, and examples of the ballot paper are posted *inside each voting compartment;* and 3rd, that one or more properly pointed black lead pencils are placed inside each voting compartment. He should also see that forms P.E. 30 (English) and 31 (Dutch) containing names of candidates and date of holding of poll have been properly completed and posted up before the poll.

VI. The Polling Officer should from time to time examine the voting compartment, when not occupied by a voter, for the purpose of seeing that such compartment is in order.

VII. The voting compartment or compartments should be so arranged that no person can enter or quit such compartment or compartments without being seen by the Polling Officer.

VIII. No voter can vote except in person; he cannot stay away and send his vote, nor can he vote by proxy.

*IX. No person shall be competent or permitted to vote at any Parliamentary election at any polling station outside the field-cornetcy for which he has been registered unless before voting he shall sign a declaration (P.E. 47), forms of which shall be provided at every polling station, that he has not voted and undertakes not to vote at any other polling station. No voter can, of course, under any circumstances, vote outside the electoral division for which he is registered.

X. Anything that is by Act 9 of 1892, or by the Regulations framed thereunder, authorised or required to be done by any Polling Officer may be lawfully done by any assistant to such Polling Officer.

XI. *Every Polling Officer, assistant, clerk or agent, legally present in any polling place, must, before the opening of the poll, make a declaration of secrecy* (*P.E. 2*) *before a Returning Officer or a Justice of the Peace.* All such declarations should be sent by the Polling Officer in charge of the station to the Returning Officer *at the close of the poll.*

XII. The poll can remain open for one day only. It will commence at *eight* o'clock in the morning and close at *six* o'clock in the afternoon; and no votes can be taken before or after these hours.

XIII. One or more polling places will be appointed in each field-cornetcy of each electoral division, and one Polling Officer at least will be appointed, under the certificate (P.E. 3) of the Returning Officer, to take the poll at each polling place.

XIV. Every Polling Officer is required to maintain the strictest impartiality in the discharge of his duties, and by nothing in his speech or demeanour to give cause for imputing or suspecting the contrary.

XV. Each Polling Officer will be furnished with a copy of the existing general list of voters for the whole electoral division. This copy must be certified by the Revising Officer to be a correct one.

XVI. Each voter will have as many votes as there are seats to be filled; but no voter can give to any one candidate more votes than one, excepting in elections for members of the Legislative Council, when there are more seats than one to be filled. In such cases such voter has as many votes as there are members to be elected, and he is at liberty to distribute them as he pleases amongst the candidates. In the event of there being more than one seat to be filled, every voter may, however, should he think fit, vote for only one candidate.

2. Opening of the Poll.

XVII. The poll commences at *eight* a.m. precisely and closes at *six* p.m. precisely. The opening of the poll must not be delayed after eight a.m. by reason of the absence

* This paragraph does not apply to the electoral division of Cape Town, the voters in which must vote in the district for which they are registered.

of the Polling Officer or his assistant, but must be commenced and proceeded with by the one in attendance, and the fact of the absence must be notified to the Returning Officer.

XVIII. Just before the commencement of the poll the Polling Officer will *show the ballot box empty* to such persons as may be present in the station, so that they may see that it is empty. He will then lock it up, slip the card (P.E. 18) provided for the purpose into the space over the keyhole, and so seal it with his seal that it cannot be opened without breaking such seal, place it near him on his table, and keep it in his view during the continuance of the poll. Once sealed, the ballot box must on no account again be opened. The key of the box should be placed in the envelope supplied and marked "key of ballot box" (P.E. 44), which should be sealed, and sent to the Returning Officer with the box at the close of the poll.

In addition to locking the box it should be secured by passing pieces of tape through the rings on the front of the box and sealing them.

XIX. Each candidate's polling agent will be admitted only on production to the Polling Officer of his appointment (P.E. 5) as such polling agent, duly signed by the election or sub-agent, and with the declaration of secrecy (P.E. 2) attached, duly signed by such polling agent, and subscribed by the Justice of Peace or Returning Officer taking the declaration.

XX. The only persons entitled to be present in the polling station beside the Polling Officer, his assistants, and voters voting or waiting to vote, are the candidates and their election agents, sub-agents, polling agents, and the constables on duty. The Polling Officer will exclude all other persons.

XXI. No candidate's polling agent will be allowed to be changed during the polling, except in the case of an agent becoming incapable of acting, when the election or sub-agent may appoint another person as polling agent, and should give notice to the Polling Officer of such new appointment. Any agent or assistant wishing to retire and return must first apply to the Polling Officer for permission to do so, and, if granted, may be required to receive from him a card of re-admission (P.E. 17), filled up and signed by the Polling Officer, on delivery up of which he will be re-admitted to the station. The Polling Officer must be careful only to allow the *same agent* or officer to re-enter the station.

XXII. The Polling Officer will regulate the number of voters to be admitted to the station at any one time, and will give his orders to the constables accordingly

XXIII. The Polling Officer can, under Section 31 of Act 48 of 1899,* challenge the right to vote of any registered voter, whose case comes within the provisions of that Section, as hereunder explained. If any person votes or induces or procures any person to vote at any election, knowing that he or such person is prohibited by law, from voting at such election, he shall be guilty in terms of Section 12 (1) of Act 26 of 1902, of an illegal practice, and be liable to the penalty in that behalf provided by Section 3 of the above Act.

3. *Identification of Voters.*

XXIV. The Polling Officer shall, if required, by or on behalf of any candidate, or may of his own accord, when he considers it necessary, put to any voter at the time of tendering his vote, but not afterwards, the following questions (*vide* P.E. 6 for Legislative Council, and P.E. 7 for House of Assembly.)

1stly. What is your name in full?

2ndly. Where do you live?

3rdly. What is your occupation?

4thly. Are you to the best of your knowledge and belief the same person whose name appears as (here give the name of the registered voter as whom the person tendering his vote claims to vote) on the list of registered voters for the electoral division of ?

5thly. (In case the poll is taken for a member or for members of the *Legislative Council*)—Have you already voted, either here or elsewhere, at this election, for any member of the Legislative Council? or (in case the poll is taken for a member or for members of the *House of Assembly*)—Have you voted, either here or elsewhere, in this electoral division at this election, for any member of the House of Assembly?

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* Section 31 of Act 48, 1899, is as follows:—

Notwithstanding anything in Section 50 of the Constitution Ordinance contained, it shall not be lawful for any person to vote although his name shall appear on the register of voters who

(*a*) Is not a British subject.

(*b*) Has been convicted of any crime which would disqualify him to be registered.

(*c*) Is incapacitated from voting at Parliamentary elections on account of any personation or corrupt or illegal practice.

(*d*) Is a minor or a declared lunatic;

and the votes of any such persons given at an election may be struck out by a Court on the trial of an election petition.

The following is an extract from an opinion, dated 14/5/1903, obtained from the Assistant Law Adviser on the subject:

"If any objection is made to a registered voter on the ground that he is prohibited from voting by Section 31 of Act 48 of 1899, or if the Polling Officer has from personal knowledge or otherwise any reason to suspect that the Section is being contravened, he should warn the person claiming to vote that if he is one of the classes referred to, it is illegal for him to vote. If the person insists on having his vote taken the Polling Officer should make a note of the circumstances and the names of the objectors. As in such cases there is always the possibility of the Polling Officer being called upon to give his evidence in the matter upon an election petition being presented, he should also make a mental or other note of the description of the person in order to be able to identify him again."

A return of any such cases should be rendered to the Returning Officer at the conclusion of the poll.

When the registered list does not set forth the residence or occupation of the voter, the second and third questions need not be put.

*Any voter who wishes to record his vote at a polling station outside the field-cornetcy for which he is registered must first sign a declaration (P.E. 47) that he has not voted and undertakes not to vote at any other polling station. All such declarations should be kept by the Polling Officer and forwarded after the close of the poll to the Returning Officer. Any person making a false declaration is liable to a fine of £100 or to imprisonment, with or without hard labour, for a period not exceeding three years, or to both such fine and such imprisonment, and is further liable to the penalties incurred by any person found guilty of a corrupt practice as provided by Section 39 of the "Parliamentary Elections Act, 1883."

XXV. The Polling Officer must remember, however, that a person whose identity is indisputable, and who is beyond doubt the person meant to be accurately registered, and who was supposed to be accurately registered, may not, after all be accurately registered. The Polling Officer must be governed in all such cases by the principles involved in the concluding clause of Section 41 of the Constitution Ordinance, and in Sections 39 and 40 of Act 14 of 1874.

XXVI. It should be explained that any person giving a wilfully false answer to any question the Polling Officer is authorised to put, is liable to be imprisoned with hard labour for a term of two years; and that every person who, knowing that he is not the person registered, wilfully assumes or pretends to be such person and who attempts to vote as such, is liable to imprisonment for two years with or without hard labour, and is further subject to the incapacity prescribed by Section 39 of the "Parliamentary Elections Act, 1883."

XXVII. If the Polling Officer has reasonable and probable cause for believing that any person has in his presence committed either of the offences aforesaid, viz., wilfully making a false answer to any question which the Polling Officer is authorised to put him, or personation, he may, by verbal order to be given and acted upon before the offender leaves the polling place where the offence is alleged to have been committed, authorise and require any officer of the law proper to the execution of criminal warrants, or any private person or persons, to detain the offender in some convenient place until he shall be brought before some Resident Magistrate or Justice of the Peace, to be dealt with according to law. But such offender may be released if he gives bail in two sureties of £25 each, or one of £50, that he will appear when duly summoned to answer any charge against him, and that he will accept service of the summons at some place to be mentioned in the bail bond. This bond may be entered into before the Polling Officer who has ordered the detention of the offender, or before any Resident Magistrate or Justice of the Peace.

4. *Taking a Vote.*

XXVIII. The Polling Officer, having satisfied himself by reference to the list of registered voters and by replies to questions given by the person claiming to vote, that such person is a registered voter, that no person has already voted under the name upon which he claims to vote, or if there be more than one person of the same name on the list, that persons have not voted in respect of all those names, shall

1st. Call out the number, name and description of the voter as stated in the copy of the list of voters;

2nd. Enter the voter's number on the counterfoil of the ballot paper;

3rd. Place a mark on the list of voters against the number of the voter to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.

4th. Tear off the ballot paper and mark it on *both* sides with the official mark, in the blank space on the left-hand side, taking especial care that each ballot paper is stamped separately and distinctly, and that the mark is visible on *both* sides of the ballot paper *(want of attention in these respects may render the Polling Officer liable to the candidate who suffers thereby)* and also taking care that the ballot paper is not stamped upon or over the space on the right-hand side left for the voter's mark, and will then hand the ballot paper to the voter. Each ballot paper should be folded, in fourfold, lengthwise and crosswise, and be opened again before delivering it to the voter. Care must be taken that one ballot paper only is detached at a time, and that one ballot paper only is given to each voter. *No mark of any kind is to be put upon the ballot paper by the polling officer except the "official" mark and none upon the counterfoil except the number of the voter as given in the voters' list.*

XXIX. The Polling Officer will use the stamping instrument (the "official" mark) carefully, and will use the ballot papers in the book consecutively.

XXX. The voter, having received his ballot paper, must proceed at once to one of the compartments, there secretly place on his ballot paper on the right-hand side opposite the name or names of the candidate or candidates for whom he wishes to vote a X for each vote he is allowed to give and intends to use; fold up the ballot paper so as to conceal the mark which he has made, *but so as to leave the official mark visible on the back*, and take it so folded (without showing the front of the paper to any person) to the Polling Officer himself (not to a clerk), show him the official mark on the back, place the ballot paper in the ballot box, and immediatey leave the station.

XXXI. The Polling Officer may not give the voter any assistance or explanation

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* This does not apply to the electoral division of Cape Town.

beyond (1) directing him to the compartment allotted to him; (2) informing him that directions for his guidance are posted there; (3) instructing him on his return from the compartment as to the manner in which paper is to be folded and placed in the box. *It is important that the rule on this point be strictly observed.*

XXXII. Persons referred to in Section 3 of Act 9 of 1892, whose names *are* printed in italics in the list of voters and such persons as are incapacitated by blindness or any physical cause, can be allowed to make the declaration of inability to read (P.E. 11), and no other persons can have their votes marked by the Polling Officer on the ground that they are unable to read.

XXXIII. Only such persons as have their names printed in italics in the list of voters, and such persons as are incapacitated by blindness or any physical cause, can be allowed to make the declaration of inability to read, and no other persons can have their votes marked by the Polling Officer on the ground that they are unable to read.

XXXIV. The ballot paper so marked must be placed in the ballot box, and the name and number of the voter and the reason why it is so marked shall be entered on a list called "the list of votes marked by the Polling Officer." (P.E. 10).

The declaration of inability to read (P.E. 11) is to be made before a Polling Officer.

XXXV. If a person representing himself to be a particular voter named on the list of voters for the electoral division applies for a ballot paper after another person has voted as such voter the applicant shall, after duly answering the statutory questions (see paragraph XXIV. of these Instructions), be entitled to mark a tendered (blue) ballot paper which, instead of being put into the ballot box, shall be given to the Polling Officer and endorsed by him with the name of the voter and his number on the list of voters, and set aside in a separate packet, and the name and number of the voter shall be entered on the tendered votes list (P.E. 8).

XXXVI. A voter inadvertently spoiling his ballot paper by inadvertently marking it or in any other way, may, on satisfying the Polling Officer that it was inadvertently spoilt, and on returning the paper, receive another.

XXXVII. Any person misconducting himself in any polling station, or failing to obey the lawful orders of the Polling Officer, may immediately, by order of the Polling Officer, be removed by a constable or by any other person authorised, in writing, by the Returning Officer to remove him. The person so removed shall not be allowed, except with the permission of the Polling Officer, again to enter the polling station during the day.

Any person so removed, if charged with the commission of any offence in such station, may be kept in custody until brought before the Resident Magistrate of the district in which such offence is alleged to have been committed.

These powers are not to be exercised so as to prevent a voter otherwise entitled to vote at any station from having an opportunity of recording his vote at such station.

XXXVIII. The attention of all officers in attendance at polling stations is particularly directed to the provisions of Section 76 of Act 9 of 1892, with regard to maintenance of the secrecy of voting, &c.

XXXIX. No written authority given under the Franchise and Ballot Act need be stamped as a power of attorney.

5. *Close of the Poll.*

XL. The poll closes at *six* p.m. At that hour precisely, or as soon after as voters then in the polling place have deposited their papers in the box, the Polling Officer will cover over the opening in, and seal up, the ballot box, so as to prevent the introduction of additional ballot papers. This is done by drawing the slide over the opening in the box, and sealing the tape in the hollow through which it comes. *When doing this care must be taken that the sealing wax does not drop through the hole into the box.* Should the agents desire to seal the tape it can be laid on top of the box and sealed thereon.

XLI. The Polling Officer will not give out any ballot paper after *six* p.m. except to voters who have been admitted to the polling station before that hour, and such voters shall be allowed to mark and deposit their ballot papers in the ballot box.

XLII. The Polling Officer will clear the station of all persons except his assistants, such of the candidates' polling agents as desire to remain, and such constables on duty as he deems it desirable to retain inside the station. He will then fill up and sign the "Statement of the Number of Votes marked by the Presiding Officer" (P.E. 9) and the "Ballot Paper Account" (P.E. 12), and in the presence of such of the polling agents of the candidates as are in attendance, make up into separate packets, seal with his seal, and the seals of such of the candidates' polling agents as desire to affix their seals—

(1.) The ballot box *unopened*, but with the key enclosed in a sealed envelope (P.E. 44) attached, and the opening covered, and the tape attached to the slide sealed;

(2.)—(*a*) The *unused* ballot papers, (*b*) the *unused* tendered ballot papers, and (*c*) *the spoilt* ballot papers all placed together in one packet; envelope (P.E. 41).

(3.) The tendered ballot papers used; envelope (P.E. 40).

(4.) The marked copy of the register of voters; envelope (P.E. 39).

(5.) The counterfoils of the ordinary and tendered ballot papers used; envelope (P.E. 43).

(6.)—(*a*) The tendered votes list (P.E. 8); (*b*) the list of votes marked by the Polling Officer (P.E. 10); (*c*) the statement of the number of votes marked by the Presiding Officer (P.E. 9); (*d*) the declarations of inability to read (P.E. 11) which have been filled up and used, and (*e*) the declaration (P.E. 47), signed

by voters who recorded their votes at a polling station outside the field-cornetcy for which they are registered; envelope (P.E. 38).

For the purpose of separating the counterfoils of the used ballot papers from the unused counterfoils and unused ballot papers, the Polling Officer will cut any partly used book of ballot papers.

XLIII. The Polling Officer will also make up into separate packets, and seal with his own seal—

(7.) The ballot paper account (P.E. 12); envelope (P.E. 42).

(8.) The appointments of the Polling Officer, assistants and agents, and declarations of secrecy lodged with him (P.E. 3, P.E. 5, and P.E. 2, respectively); envelope (P.E. 37).

(9) The *unused* declarations of inability to read (P.E. 11), and all the *unused* forms, cards, paper and stationery supplied to his station except those in envelope (P.E. 41) referred to in paragraph XLII. (2); envelope (P.E. 45).

(10.) The secret official mark.

Care should be taken by the Polling Officer that his packets of forms, etc., are made up strictly in conformity with the above instructions, and that they are placed in the proper P.E. envelopes, where provided as above indicated. After he has sealed all the packets the brass seal should also be made up in a packet, marked as such, and returned to the Returning Officer.

XLIV. The Polling Officer will also, if any person has been given into custody at his station, make out and enclose in an envelope, endorsed and sealed by him, a Return stating:

(*a.*) The names and description of the persons arrested;

(*b.*) The offence with which they are respectively charged;

(*c.*) The name of the officer by whom they were charged, and stating whether such officer be the Polling Officer, a candidate, or his election agent, sub-agent or polling agent, an assistant, or constable;

(*d.*) The facts and grounds on which the charge is based;

(*e.*) Any remarks, facts, and circumstances that the presiding officer may deem it useful or desirable to state.

XLV. The packets mentioned should then be sent or conveyed by the Polling Officer with the least possible delay to the Returning Officer.

(*c.*) *Ballot Regulations.*

21. The subjoined Ballot Regulations have been issued by the Governor under the provisions of Section 38 of the "Franchise and Ballot Act, 1892." [Act 9 of 1892]:—

Govt. Notice 148, 1896.

Regulations.

A. Returning and Polling Officers.

I. Before the date fixed for the taking of the poll in any electoral division, the Returning Officer for such division shall deliver or cause to be delivered to each officer in charge of a polling station, in addition to the articles or documents required by law to be delivered to such Polling Officer:—

(*a.*) A printed copy in the English and Dutch languages of the ballot clauses of Act 9 of 1892, being portions of Sections 37 to 84 of the said Act.

(*b.*) A printed copy of these Regulations in the English and the Dutch languages.

(*c.*) A ballot box so constructed that the ballot papers can be introduced therein, but cannot be withdrawn without the box being unlocked.

(*d.*) A sufficient number of ballot papers as described in Section 37 of Act 9 of 1892, and in the form set forth in Schedule F of the said Act.

(*e.*) A sufficient number of papers in the same form, but of a different colour, to be called "tendered ballot papers."

(*f.*) A sufficient number of printed copies in the English and the Dutch languages of the directions for filling up ballot papers, as set forth in Schedule F of Act 9 of 1892.

(*g.*) Instructions and implements for placing the special mark on ballot papers.

(*h.*) Such other stationery and notices as may be necessary for the proper conduct of the election, including a supply of form P.E. 46 *re* closing of bars. In this connection it should be noted that railway bars are classed as ordinary bars for purposes of the provisions of Section 35 of Act 48 of 1899.

II. The compartment or compartments for voting at each polling station shall be so arranged that no person can enter or quit any such compartment or compartments without being seen by the Polling Officer.

III. In each compartment for voting there shall be posted up a printed copy in the English and the Dutch languages of the directions for filling up ballot papers, together with examples of ballot papers filled up, but no other notice shall be posted in such compartment.

IV. Each compartment for voting shall be furnished with table or desk and one or more properly pointed black lead pencils and no other furniture, paper or things, excepting those mentioned in paragraph III. of these Regulations, shall be contained in such compartment.

V. During the hours of polling no person shall, subject to a fine not exceeding five pounds, enter any compartment for voting, except voters desirous of marking their papers; provided, however, that the Polling Officer or his assistants may from time to

time enter such compartment when not occupied by a voter, for the purpose of seeing that such compartment is in order, in accordance with Regulations III. and IV.

In no case shall more than one person be allowed to be in one compartment at the same time.

VI. The Polling Officer shall, when handing a ballot paper to a voter, who has not made a declaration of inability to read, or who is not incapacitated by any physical cause from marking his paper, direct him to the compartment allotted to him. The Polling Officer may further inform such voter that directions for his guidance are posted in the compartment, but no further assistance or explanation can be given by the Polling Officer to the voter, excepting that when the voter has returned from the voting compartment the Polling Officer may, if necessary, instruct him as to folding the ballot paper and placing it in the box.

VII. A voter having received a ballot paper from the Polling Officer shall not be allowed to quit the polling station or pass out of sight of the Polling Officer until he has placed such paper in the ballot box, or has returned it to the Polling Officer as a spoilt ballot paper.

VIII. Anything that is by Act 8 of 1892, or by these Regulations authorised or required to be done by any Polling Officer, may be lawfully done by any assistant to such Polling Officer.

IX. Only one polling agent for each candidate shall be admitted to each polling place.

X. Each candidate's polling agent will be admitted only on production to the Polling Officer of his appointment as such polling agent duly signed by the candidate's election agent, or sub-agent, and with the declaration of secrecy required by Section 73 of Act 9 of 1892 attached, duly signed by such polling agent, and subscribed by the Justice of the Peace or Returning Officer taking the declarations.

XI. No candidate's polling agent at any polling station will be allowed to be changed during the polling, except in the case of an agent becoming incapable of acting, as mentioned in Section 72 of Act 9 of 1892. Any agent or assistant wishing to retire and return, must first apply to the Polling Officer for permission to do so, and if granted the Polling Officer may require him to receive a card of re-admission (P.E. 17) signed by the Polling Officer, on delivery up of which he will be re-admitted to the station.

The Polling Officer shall, subject to the provisions of the above-mentioned 72nd Section, only allow the same agent or officer to re-enter the station.

XII. The number of agents to be appointed by each candidate to attend the counting of votes shall be fixed by the Returning Officer.

XIII. The name and address of every agent of a candidate appointed to attend the counting of the votes shall be communicated in writing to the Returning Officer by the candidate, and such address shall be some place situated within the town or village in which the Returning Officer's office is situated.

XIV. The names and addresses of all polling agents of a candidate appointed to attend at the polling stations shall be communicated in writing to the Returning Officer by the candidate.

XV. In the case of the appointment of any fresh agent under the provisions of Section 72 of Act 9 of 1892, immediate notice of such appointment shall be given by the candidate or his election agent or sub-agent to the Polling Officer of the station of which he is to represent the candidate.

XVI. The following shall be substituted for the "Form of Directions for the Guidance of the Voter in Voting," contained in the Schedule F to Act 9 of 1892:—

The voter may vote for candidate.

The voter will go into one of the compartments, and with one of the pencils provided in the compartment, place a cross on the right hand side, opposite the name of each candidate for whom he votes, thus X.

A vote recorded in any other manner will be rejected.

If the voter be entitled to give more than one vote for any candidate, he shall place opposite the names of the candidate for whom he votes, the number of votes given for such candidate, thus X X X or X X or X as the case may be.

The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the Polling Officer, and then, in the presence of the Polling Officer, put the paper into the ballot box and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he can return it to the Officer, who will, if satisfied of such inadvertence, give him another paper.

If the voter gives more votes than he is entitled to, or places his signature, initials, or any other mark or marks on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the Officer, he will be guilty of a contravention of the Franchise and Ballot Act, 1892, and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

Note.—These directions shall be illustrated by examples of the ballot paper.

B. Inspection of Documents.

I. Inspection of documents filed in the Colonial Secretary's Office shall be allowed in accordance with the provisions of Section 62 of Act 9 of 1892 between the hours of

10 a.m. and noon on Saturdays, and between the hours of 10 a.m. and 3 p.m. on other days, Sundays and holidays excepted.

II. Any person wishing to inspect documents shall specify the election to which the documents he wishes to inspect refer, and inspection shall be allowed on payment of a fee of three shillings for every inspection not exceeding half an hour; in case the inspection extends beyond half an hour a further fee of one shilling shall be paid in respect of every additional half hour occupied in the inspection.

III. Such fees shall be payable in revenue stamps, which shall be affixed in a book kept for the purpose, and to contain the record of the inspection.

IV. Copies or extracts from documents, which may be inspected, shall be supplied on payment of the following fees, which shall be paid in revenue stamps to be affixed to the copies given—

(*a.*) For every certified copy or extract not exceeding one folio of 100 words, two shillings.

(*b.*) For every additional folio or portion of a folio not exceeding 100 words, one shilling.

(*c.*) For office copies not certified, one half of the above.

(*d.*) For certified marked copies of the voters' lists as used at elections a charge shall be made at the rate of three shillings and sixpence per hour occupied in making such lists.

V. Certified copies or extracts shall be certified by the Under Colonial Secretary or by the Assistant Under Colonial Secretary, by either of whom all stamps affixed to records of inspection or to copies of documents shall be cancelled.

VI. No person inspecting any documents in accordance with these Regulations shall be allowed to make any copy of or extract from such documents.

Any person contravening this Regulation shall be liable to a fine not exceeding five pounds, or to imprisonment, with or without hard labour, for any term not exceeding one month, or to both such fine and such imprisonment.

22. Section 41 Constitution Ordinance, Sections 39 and 40 of Act 14 of 1874, Sections 37, 50, 64, 65, 70-77, 80-84 of Act 9 of 1892, and Sections 3 and 12 (1) of Act 26 of 1902 should be consulted for further instructions on the above subject.

(*d.*) *Election Expenses.*

(*A.*) *Legislative Council.*

23. The cost of elections for the Legislative Council is chargeable against the general revenue, and Civil Commissioners of *fiscal* divisions are authorised to pay any polling expenses, &c., incurred in their fiscal divisions under proper authority, and to charge the amount to the vote for Parliamentary expenses.

(*B.*) *House of Assembly.*

24. The cost entailed in the election of members of the House of Assembly is recoverable from the candidates, who are, under the 48th Section of the Constitution Ordinance, liable for the payment of an equal share of the polling expenses (not however exceeding £50 each). The expenses should be paid, in the first instance, by the Returning Officer of the *electoral* division as an advance on behalf of the Accounting Officer of the Colonial Secretary's Department, and as soon as he has ascertained the amount of such expenses he should recover the due proportion from each candidate concerned, and place it to the credit of the Accounting Officer in adjustment of the advance. Adequate security should be taken from candidates, and recovery promptly secured.

Instructions printed on Form G. 25.

25. Payments for election expenses are subject to audit, and care should be taken that the remuneration to Polling Officers is not in excess of tariff or other authority. Returning Officers and other officers concerned should make the most economical arrangements.

26. The form of voucher to be used for all Parliamentary elections is the form G. 38 (issued in 1896).

(*C.*) *Remuneration of Polling Officers.*

27. Civil Servants proper are entitled to a fee of £1 for the day of the poll. If required to travel, they have to be paid personal allowance and travelling expenses as laid down in Government Notice 73 of 1896. The charges for personal allowance and travelling expenses should be supported by the certificate laid down in the Notice quoted. If they do not travel by means of their own conveyance, receipts should be attached in support of cart hire.

28. Field-cornets receive a fee* of £1 for the day of the poll. When required to travel they are entitled to the allowances laid down in Ordinance 9 of 1848, *i.e.*, 7s. 6d. p.d. personal allowance, and 1s. 6d. horse hire for every six miles travelled, in addition to 9s. for six hours' detention for horse hire on the day of the poll.

29. Police Officers receive a fee of £1 for the day of the poll. When required to travel they receive the personal allowances ordinarily paid them when travelling on duty, in addition to 7s. 6d. p.d. per horse hire for one horse only, provided the animal is their own property, and subject to a certificate that the horse (or horses), if any, for the keep of which they receive

* This fee is payable whether the Field-cornet is assisted or not. C.O. 25 of 1896.

a forage allowance from Government was (or were) available for police duty. If they have to hire a horse the amount actually disbursed will be allowed subject to annexure of the receipt.

30. Special Justices of the Peace, Issuers of Process, and Inspectors of Native Locations, receive the same rates as Field-cornets.

31. Private individuals are entitled to £1 for the poll in addition to £1 p.d. for personal allowance, and £1 p.d. for travelling expenses. The full amount for personal allowance and travelling expenses should, however, not be paid, if they can be engaged at lower rates. If they are required to travel a few miles only, they should only be allowed the actual cost of travelling.

32. Assistants to Polling Officers, if private individuals, receive 12s. 6d. p.d. personal allowance, and 7s. 6d. p.d. for horse hire, the latter amount to be paid only if they travel to a spot more than three hours from their residences. Public officers acting as assistants receive personal allowance and travelling expenses under the tariffs ordinarily applicable to them.

33. An amount not exceeding ten shillings is allowed in each case if necessary for the hire of a room as a polling place. If the room is not the property of the Polling Officer, the payment to him should be supported by the receipt of the person from whom the room was hired.

34. Payments to Polling Officers for expenses should be supported by the receipts of the persons who actually performed the services.

35. Charges for transport of ballot compartments will be allowed when necessary.

(*D.*) *Additional Instructions Regarding Election Expenses.*

36. In view of the fact that incorrect interpretations are in some cases placed on the instructions contained on the Form G. 38, referred to in Section 26 of this Chapter, attention is directed to the following further instructions on the points which would appear to present difficulties:—

I. Officers who are entrusted with the duty of counting the votes are entitled to a fee of £1 for the service in addition to the fee of £1 drawn as Polling Officers. C.O. 20, 1898, and 18, 1900.

II. All public officers who are contributors to the Widows' and Civil Service Pension Funds should contribute to these funds on the fee of £1 drawn by them as Polling Officers, as also on the amount (£1) paid them for counting the votes. These deductions should be made both as regards Legislative Council and Assembly elections.

III. Civil Servants when travelling receive a personal allowance of 15s. per 24 hours and not 15s. per diem, and the payments to them should be supported by the certificate required by the Civil Service Regulations.

IV. The fee of £1 for the actual taking of the poll may be paid to both Polling Officers and their assistants. By assistants is meant, of course, persons who are employed in actually taking the poll and not in the keeping of order and other like services.

V. Field-cornets are on no account to receive more than 6 hours' horse hire in any one day unless they actually travel more than 36 miles in a day. For instance, if they reside, say, 8 miles from the polling station and travel thereto on the day of the poll, as they should do, and, after taking the poll, return to their residences the same evening, they should only be paid 6 hours' horse hire in addition to their allowances sanctioned by the tariff. In cases, however, where they reside, say, a distance of 20 miles from the polling station, and would consequently have to proceed to the polling station the day prior to the actual taking the poll, the allowances to be paid them would be as follows:—

Total Distance 40 *Miles.*

7 hours' horse hire at 1/6 per hour while travelling...	£0	10	6
6 hours' horse hire at 1/6 per hour for detention on the day of the poll	0	9	0
3 days' personal allowance at 7/6 each	1	2	6
Allowance for the poll	1	0	0
Allowance for hire of room	0	10	0
	3	12	0

In all cases where the rooms are the property of the Polling Officers the fact should be stated; if they are not, the receipts of the persons from whom they were hired should be attached.

VI. Police Officers drawing forage allowances from Government should not be paid any claims for horse hire unless the Civil Commissioner is in a position to certify that they left horses available for the performance of their duties during their absence. In cases where they use horses, their own property, the fact should be certified to, otherwise the receipt of the persons from whom they hired the animals should be attached.

VII. Personal and travelling allowances should in no case be paid, unless the residence of the Polling Officer is more than one mile from the polling place.

VIII. All payments for expenses and carriage of ballot compartments, &c., should

figure *on separate vouchers*, and *not* on the vouchers on which the payments to Polling Officers for the poll, as well as personal and travelling allowances, are shown.

IX. The form G. 38 should be used for any expenditure in connection with the election, excepting as regards the forwarding of articles by post, in which case the form G. 301 should be used.

X. Expenses in connection with the election of members for the House of Assembly are chargeable as advances to be recovered from the candidates, *but no candidate's share of the expenditure may exceed* £50. Any expenditure in excess of the amount for which the candidates are liable, should be charged to the Parliamentary vote. To enable the Returning Officer to decide the amount to be recovered from the candidates, Civil Commissioners and Resident Magistrates who are not the Returning Officers should advise him as soon as possible of the amount of the payments made by them. In this connection Returning Officers should note that, although Section 48 of the Constitution Ordinance merely provides that on nomination day security for the expenses of the poll shall be taken by the Returning Officer, the Government is of opinion that a deposit in cash is unquestionably the most convenient form of security, and such should, whenever there is a likelihood of its being obtained, be asked for. If, however, other security to which there could, in the Returning Officer's opinion, be no reasonable objection, is tendered, then that Officer should use his discretion and not necessarily insist on a cash deposit.

XI. In cases where security other than a cash deposit is accepted, a bond drawn up in the subjoined form (P.E. 24) should be signed by the candidate and two or more solvent sureties:—

I, the undersigned,
do hereby undertake to pay my equal and proportionate share, not exceeding in the whole the sum of Fifty Pounds Sterling, of the expenses of the poll demanded this day for the election of out of the proposed candidates for the representation of the electoral division of in the House of Assembly, when such expenses shall have been sanctioned and allowed by the Government of the Colony.

And we, the second and third undersigned, as surety for the above-mentioned jointly and severally bind ourselves for the due fulfilment by him of the foregoing undertaking.

(Candidate's signature)

(Surety's signature)

(Surety's signature)

Taken before me at
this day of

Returning Officer for the Electoral Division
of

XII. To prevent any disputes all vouchers for allowances in connection with the poll should be submitted for approval to the Colonial Secretary's Office, prior to payment. Arrangements will be made to have them returned to the officers concerned almost immediately.

No. 5.

NATAL.

The GOVERNOR to the SECRETARY OF STATE.

(Received October 6, 1906.)

My Lord, King's House, Durban, Natal, September 12, 1906.

With reference to your despatch of the 31st March, I have the honour to transmit to you herewith a statement of the machinery and cost of contested elections to the Legislative Assembly of this Colony.

I have, &c.,
HENRY McCALLUM.

Enclosure in No. 5.

Statement of the Machinery and Cost of Contested Elections to the Legislative Assembly of the Colony of Natal.

The Colony of Natal is divided into 17 electoral districts, returning 43 members to the Legislative Assembly.

A Magistrate in each electoral district is, *ex officio*, Magistrate for electoral purposes and Returning Officer.

The Governor issues writs requiring the Returning Officers to cause to be elected a Member or Members to serve in the Legislative Assembly for the various electoral districts.

On receipt of the writ the Returning Officer fixes the date for the election in his district, allowing an interval of 14 days from the time of closing for the receipt of nominations.

Addresses are given, and canvassing prosecuted by the respective candidates until polling day.

At the close of the poll, and as soon as the votes are counted, the Returning Officer declares the poll and names the successful candidate or candidates.

The costs of all Parliamentary Elections are borne by the Colony, and are paid for out of General Revenue.

The General Election of 1902 cost approximately:—

Pay to presiding officers, clerks, police, &c.	£500
Public Works Department for erecting booths, &c. ...	50
Printing, stationery, ballot boxes, and stamping instruments	132
	£682

No. 6.

VICTORIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received July 2, 1906.)

MY LORD, State Government House, Melbourne, May 21, 1906.

IN compliance with the request contained in your Lordship's despatch of the 31st March last, I have the honour to transmit to you a copy of a report which I have received from my Ministers giving particulars as to the machinery and cost of Parliamentary elections in the State of Victoria.

I have, &c.,
R. TALBOT.

Enclosure in No. 6.

STATE OF VICTORIA.

MACHINERY AND COST OF PARLIAMENTARY ELECTIONS.

Sections 208 to 290 of the Constitution Act Amendment Act, 1890, attached, explain the machinery as to the conduct of elections.

The expenses of an election are paid out of the Consolidated Revenue—see Section 290.

The rates of allowances to Substitute Returning Officers, Deputy Returning Officers, and Poll Clerks, as well as the scale allowed for travelling expenses, &c., are shown in Appendix marked "A."

The cost of the last Parliamentary Election in this State, held on 1st June, 1904, was £10,200 (for Council and Assembly).

The State of Victoria consists of 65 electoral districts and 17 electoral provinces. Though 12 districts and 7 provinces were uncontested on 1st June, 1904, a referendum poll was held throughout the State on that date, and it was necessary, therefore, to make the same arrangements in regard to the conduct of that poll as if a Parliamentary Election was being held at each polling place.

Prior to the Redistribution of Seats Bill passed in December, 1903, there were 84 electoral districts in this State, and the cost of the two General Elections for the Legislative Assembly held prior to the reduction of seats from 84 to 65 on 1st November, 1900, and 1st October, 1902, respectively, was as under:—

1900, with 29 uncontested districts and 8 forfeited deposits ... £4,871
1902, with 25 uncontested districts and 2 forfeited deposits ... 5,553

DIVISION 2.—CONDUCT OF ELECTIONS.

208. Writs for the election of members of the Legislative Council in all cases shall be issued by the President of the Council,* and shall be returned to the President on such day within forty days of the day of issue thereof as shall be named therein; and every such writ may be in the form contained in the Thirtieth Schedule hereto or to the like effect, and shall be directed to the returning officer of the province. Provided always that if at the time at which it may be necessary to issue any writ there be no President of the said Council, or the President be incapable from illness or absent from Victoria without leave granted to him by the Council, such writ shall be issued by the Governor under his hand and the seal of the Colony, and shall be returnable within the period aforesaid to the Governor.

209. Writs for every general election of members to serve in the Legislative Assembly shall be issued by the Governor for each district as occasion may require.

210. Whenever after any general election of the Legislative Assembly and before the dissolution or other lawful determination of such Assembly any seat therein has become vacant, a writ for the election of a member to serve in the place so vacant shall within one month after the same becomes vacant be issued by the Speaker of the said Assembly under his hand and seal; but if at the time of such occurrence of any such vacancy there be no Speaker and the Assembly be not in session, or if the Speaker be absent from Victoria, such writ shall within one month after the occurrence of such vacancy be issued by the Governor under his hand and the seal of the Colony.

211. Writs for every general election of members to serve in the Legislative Assembly shall be issued within seven days after the dissolution thereof.

212. The day before which nominations of candidates at and for any election must be made under this Act (herein called the day of nomination) and the day of polling, should the election be contested, shall respectively be appointed by the Governor, the President or the Speaker, whosoever according to the provisions hereof shall issue the writ.

213. In every election for the Council the day of nomination shall be not less than five nor more than nine clear days after the day of the issue of the writ, and the day of polling shall be not less than five nor more than nine clear days after the day of nomination.

214. In any election for the Legislative Assembly the day of nomination shall be not less than five nor more than nine clear days after the day of the issue of the writ, and the day of polling shall be not less than five nor more than nine clear days after the day of nomination; and at every general election all elections shall take place on the same day.

215. At least two clear days before the Speaker shall issue any such writ as aforesaid, he shall give notice in writing under his hand to the Minister in whose department this Act shall for the time being be administered of his intention to issue the same; and such Minister shall forthwith publish such notice in the "*Government Gazette*."

216. Every writ shall be returnable to the Governor or the Speaker (as the case may be) within fourteen clear days after the day of polling; and in every such writ shall also be named the day of nomination, the day for taking the poll in the event of the election being contested, and the polling places lawfully appointed for taking the poll at such election in the several divisions of the province or district; and every such writ may be in the form contained in the Thirty-first Schedule and shall be directed to the returning officer of the district.

217. (1.) (So far as relates to the election of members of the Legislative Council) the returning officer shall upon the receipt by him of any writ of election forthwith endorse thereon the date of such receipt, and shall also forthwith give public notice, by advertisement in some newspaper published in the province or if none such be published then in a Melbourne daily newspaper, of the purport of the said writ and of the day of nomination the day of polling the polling places and the return day respectively mentioned therein, and also of a place within the province to be appointed by such returning officer at which he will receive the nomination papers and payments hereinafter mentioned.

(2.) (So far as relates to the election of members of the Legislative Assembly) the returning officer shall upon the receipt by him of any writ of election forthwith endorse thereon the date of such receipt, and shall also forthwith give public notice, by advertisement in some newspaper published in the district or if none such be published at least four days before the day of nomination then in a Melbourne daily newspaper, of the purport of the said writ, and of the day of nomination the day of polling the polling places and the return day respectively mentioned

* At every General Election for the Council, the elections shall take place on the same day and writs issued by the Governor (Sec. 16, Act No. 1864).

therein, and also of a place within the district to be appointed by such returning officer at which he will receive the nomination papers and payments hereinafter mentioned.

Returning officer to appoint substitute. "*The Electoral Act* 1865" *s.* 81.

218. The returning officer shall forthwith on the receipt by him of any such writ of election as aforesaid appoint by writing under his hand some fit person to be substitute as hereinafter mentioned for such returning officer; and such returning officer shall in person or by such substitute attend at all reasonable hours in the day-time in the interval between the receipt of such writ and the day of nomination at the place so appointed for receiving the said nomination papers and payments; and if at any time during such interval the returning officer shall be absent at the time or place hereby appointed for the doing or suffering by him of any act or thing relating to such election, then such substitute may and shall do or suffer such act or thing; or if the returning officer shall die, or if by reason of his sickness or any other unavoidable cause he shall be unable to do or suffer any acts or things relating to such election and shall notify the same to such substitute, then such substitute at any time may and shall as and for the returning officer do and suffer all such acts and things and subject in every such case to the like provisions as though he were the returning officer.

When substitute may act.

Returning officer to post names of candidate. *Ib. s.* 82.

219. The returning officer shall upon each day between the receipt by him of any writ of election and the day of nomination for such election mentioned in such writ post and keep posted, outside the place so named as aforesaid for receiving the nomination papers in some public and conspicuous position, the names and descriptions of all persons who shall previously have duly become candidates for such election.

How candidate to be nominated. *Ib. s.* 83.

Thirty-second Schedule.

220. In order that any person may become or be a candidate at any election, he shall be nominated by not less than ten persons entitled to vote at such election in manner following (that is to say):—After the issue of the writ and before six o'clock in the evening of the day preceding the day of nomination there shall be delivered to the returning officer, who shall if required give a receipt for the same, a nomination paper in the form in the Thirty-second Schedule naming such person as a candidate at such election and signed by the persons nominating as aforesaid, and having at the foot thereof a statement under the hand of the person so nominated that he consents to such nomination: and such person or some person for him or on his behalf shall at the time of the delivery of such paper pay to the returning officer, in the case of an election for the Legislative Council the sum of One hundred pounds, and in the case of an election for the Legislative Assembly the sum of Fifty pounds, to be dealt with as hereinafter provided. And no person who shall not have been so nominated or by or for whom or on whose behalf such payment shall not have been so made shall be or be deemed to be a candidate at any election for the purposes of this Division of this Part of this Act.

Candidate for Council to make declaration and send to returning officer with nomination paper. "*The Legislative Council Act* 1881" *s.* 41.

Thirty-third Schedule.

221. Every candidate at an election for the Council shall together with the nomination paper required by this Act to be delivered to the returning officer deliver to such returning officer a declaration in writing or partly in writing and partly in print, made and subscribed by such candidate to the effect that he is legally or equitably seised of or entitled to lands or tenements in Victoria sufficient to qualify him under the provisions of this Act to be a member of the Council, and such declaration shall be in the form or to the effect set forth in the Thirty-third Schedule to this Act, and no nomination paper shall be accepted by such returning officer unless accompanied by such declaration, and such declaration when received shall be forthwith transmitted by such returning officer to the Clerk of the said Council who shall file and keep the same with the other records in his office.

Appropriation of moneys paid. "*The Electoral Act* 1865" *s.* 84.

222. Where a poll shall take place as hereinafter provided, the returning officer shall apply the moneys, so paid to him as aforesaid at any election by all such candidates as shall not afterwards have received at the same a number of votes equal at least to one-fifth part of the votes received by the successful candidate if only one or by such one of the successful candidates if there shall be more than one as shall have received the smallest number of votes, in and towards defraying the necessary expenses (whether incurred before or after such payment) of all such acts and things relating to such election as he is hereby authorized or required to do or provide. And after every election the returning officer shall repay to each of the candidates who shall have retired from his candidature under the provisions hereinafter contained or who shall have been returned without a poll or who shall so have received a number of votes equal at least to such fifth part whether declared elected or not all moneys so paid by or for him or them respectively.

"*The Electoral Act* 1865" *s.* 85.

Separate accounts to be kept of such moneys and copies to be sent to Commissioners of Audit.

Duties of the Commissioners.

223. Every returning officer shall keep a separate account for each election held by him of all moneys received and expended or repaid by him at and about such election; and shall, not less than three nor more than six months after the declaration of the polling at such election, send to the Commissioners of Audit a copy of such account certified under his hand together with all receipts accounts and vouchers relating to the same; and the said Commissioners shall forthwith examine and compare the same respectively; and shall immediately after such examination and comparison make and sign a report of the result thereof respectively in such form as the Governor in Council shall from time to time direct; and shall sign an acquittance for so much of such moneys as shall have been ascertained by them to have been duly and properly expended; and for the said purposes the Commissioners shall have all the powers that are or may be conferred upon them by any Act relating to the collection and audit of the public moneys and accounts now or hereafter to be in force.

Duties of returning officer when number of candidates does not exceed number of members to be elected. *Ib. s.* 86.

224. If the number of persons who shall have become candidates at any election shall not exceed the number of members then and thereat to be elected, the returning officer shall at noon on the day of nomination at the place named as aforesaid for the delivery of the nomination papers publicly declare such candidates to be duly elected and make his return accordingly.

When candidates exceed number of members to be elected poll to be taken. "*The Electoral Act* 1865." *s.* 87.

225. If the number of such persons who shall have become candidates shall exceed the number of members to be elected, then for deciding between such candidates a poll shall take place on the day named in the writ for that purpose and at the several polling places for the province or district; and the returning officer shall at noon on the day and at the place named as aforesaid for the delivery of the nomination papers publicly announce that a poll will be so taken and the names of the persons who shall have become candidates; and shall also forthwith publish in some newspaper published in the province or district the like announcement, or if none such be published then in a Melbourne daily newspaper.

Voting papers to be printed and signed. *Ib. s.* 88. Thirty-fourth or Thirty-fifth Schedule.

226. Forthwith after a poll shall stand appointed for any election, the returning officer shall cause ballot papers to be printed with the christian names and surnames of all the candidates at such election and of no other persons in full, in the form in the Thirty-fourth or Thirty-fifth Schedule; and shall sign or initial a sufficient number of such ballot papers to be used as hereinafter mentioned; and if the christian names and surnames of any two or more candidates be the same, they shall be distinguished upon such ballot papers by the addition of their residence and occupation; and the directions in the said schedules shall be of the same force as if they had been provisions contained in this Act.

How and when candidate may retire. *Ib. s.* 89. (Sec. 33 Act 1864.) Thirty-sixth Schedule. and duty of returning officer thereupon.

227. If any candidate for any election and any seven of the persons having signed the paper nominating him as aforesaid shall be desirous that he retire from such candidature, such candidate and such seven persons as aforesaid not later than the fourth day before the day of polling may sign and deliver to the returning officer a notice in the form in the Thirty-sixth Schedule stating that such candidate so retires; and may publish in some newspaper published in the province or district or if none such be published then in a Melbourne daily newspaper a copy of such notice; and the returning officer on the receipt of such notice and on sufficient proof of such publication as aforesaid shall omit the name of such person so retiring from the ballot papers to be used at the said election, or if any of such papers shall have been printed shall erase such name therefrom; and such person shall thereupon not be capable of being elected at such election; and if the number of candidates shall thereby be reduced to the number of persons to be elected at such election, then the returning officer shall forthwith declare the remaining candidates to be duly elected as though the number of candidates had not exceeded the number of members to be elected.

Booths to be erected or rooms hired. *Ib. s.* 90.

228. For taking the poll at any election the returning officer shall cause booths to be erected or rooms to be hired or otherwise provided and used as such booths at each polling place as occasion may require, but so that there shall be at each polling place one booth at least for every six hundred electors entitled to vote at such polling place, and for any fractional number exceeding six hundred or exceeding any multiple thereof to which the number of electors so entitled shall reach; and if under this provision there shall be more than one booth at any polling place there shall be affixed over the entrance of each booth in succession so many letters of the alphabet in their alphabetical order as shall denote the booth at which each elector according to the initial letter of his surname is to vote: and no elector shall be permitted to vote in any booth save that which is so denoted by the initial letter of his surname. Provided always that no polling booth shall be in any house licensed for the sale of fermented or spirituous liquors or upon the premises appertaining to such house.

When more than one booth where electors to vote. See 16 & 17 Vict. c. 68 s. 6.

Common school and other buildings may be used as polling booths. *Ib. s.* 91.

229. The returning officer for every electoral province or district is hereby empowered at any election to take and use as a polling booth or polling booths, to be occupied for that purpose during the day of election but no longer, upon giving seven days' notice of his intention to that effect, any room or rooms of competent space in any schoolhouse or building not used exclusively for religious services and which is supported wholly or in part by any public funds or by any perpetual endowment, or which has been built or is supported wholly or in part by any grant from the public revenue: and he shall pay the full costs of repairing any injury or damage which may be occasioned to the premises or the furniture thereof by the said use; and such damages in the event of the returning officer and the managers trustees or owners of the said premises differing about the same shall be recovered upon complaint of such managers trustees or owners before two justices.

How booths to be arranged and fitted. *Ib. s.* 92.

230. Each booth shall be so divided or arranged that there shall be in the same one or more inner compartments opening only into that part of the booth in which the ballot box is kept; and the returning officer or his deputy shall provide in every such compartment pencils or pens and ink for the use of the electors; and shall also provide for each booth a ballot box having a lock and key and with a cleft or opening therein capable of receiving the ballot papers herein mentioned.

Returning officer to preside at one booth and appoint deputies at others. *Ib. s.* 93. Poll clerks appointed.

231. The returning officer shall preside and take the poll at some one booth of such polling place within the province or district as he shall see fit; and such polling place shall be deemed the principal polling place; and he shall by writing under his hand appoint a deputy to act for him and take the poll at each of the other booths of the several polling places, and may also in like manner appoint one or more persons to be poll clerks and assist himself and his several deputies in taking the poll as he may see fit.

Deputy returning officers may be appointed to temporarily relieve others. "*The Electoral (Amend.) Act* 1888" *s.* 47.

232. The returning officer may by writing under his hand appoint a deputy or deputies to act for him in place of himself and in place of any deputy taking the polling under the provisions of the last preceding section, and such first-mentioned deputy or deputies shall take the poll at the principal and at any other polling place within the province or district during the temporary absence of such returning officer or any such deputy appointed under the provisions of this Act as the case may be.

Substitute deputy returning

233. Every substitute of a returning officer, and every deputy returning officer and poll clerk, shall before he shall enter upon any of the duties hereby assigned to him with regard to any election make and sign before some justice a declaration to the effect following:—

officer and poll clerk to make declarations. "*The Electoral Act* 1865" *s.* 94.

I [A.B.] do solemnly declare that I will faithfully and impartially according to the best of my skill and judgment exercise and perform all the powers authorities and duties reposed in or required of me by "The Constitution Act Amendment Act, 1890," as substitute of the returning officer [*or* deputy returning officer *or* poll clerk *as the case may be*] with regard to the election of a member for the electoral province [*or* electoral district of]: and I do further solemnly promise and declare that I will not at the said election attempt to ascertain [*add in the case of a substitute or of a deputy returning officer* save in the cases in which I am expressly authorized by law so to do] for what candidate any person shall vote or have voted at the said election: and that if in the discharge of my duties at or concerning the said election I shall have learned or have the means of learning for what candidate any person shall vote or have voted thereat, I will not by word or act or by any other means whatsoever directly or indirectly divulge or discover or aid in divulging or discovering the same, save in answer to some question which I am legally bound to answer or in compliance with the express provisions of the law relating to parliamentary elections.

Deputy returning officers to be furnished with copies of rolls. *Ib. s.* 95.

234. Before the day of polling the returning officer shall deliver to each of the deputies for use at each polling booth copies of all rolls in force for the division of the province or district (as the case may be) in and for which the poll is to be taken thereat,* certified under his hand to be true copies; and shall also deliver to each deputy and himself retain such numbers respectively of the ballot papers so signed or initialed as shall be sufficient for the use of the electors who shall be entitled to vote at each booth at which such returning officer and deputies respectively are to take the poll; and every returning officer and deputy shall keep an exact account of all such signed papers.

Duties of returning officer and deputies in taking poll.

How scrutineers to be appointed. *Ib. s.* 96.

235. Each candidate, or if he omit to do so his nominators or any three of them together, shall be entitled to appoint in writing under his or their hands one person to be scrutineer on behalf of such candidate at each polling booth; and every such scrutineer shall be entitled to be present in that part of the booth in which the ballot papers are received as hereinafter provided.

Scrutineer to make declaration. *Ib. s.* 97.

236. Every scrutineer before he shall act as such at any polling booth shall make and sign before the returning officer or deputy (as the case may be) who shall take the poll at such booth a declaration to the effect following:—

I [A.B.] (scrutineer for C.D. a candidate at the present election for the electoral province [*or* electoral district of]) do solemnly declare that I will faithfully observe all the provisions of "*The Constitution Act Amendment Act*, 1890," which relate to such my office of scrutineer: and I do further solemnly promise and declare that I will not as such scrutineer at the said election attempt to ascertain for what candidate any person shall vote or have voted at the said election: and that if in the discharge of my duties at or concerning the said election I shall have learned or have the means of learning for what candidate any persons shall vote or have voted thereat, I will not by word or act or by any other means whatsoever directly or indirectly divulge or discover or aid in divulging or discovering the same, save in answer to some question which I am legally bound to answer or in compliance with the express provisions of the law relating to parliamentary elections.

Who may be present in polling room. *Ib. s.* 98. "*The Electoral (Amend.) Act* 1888" *s.* 3.

237. The returning officer or deputy, the poll clerks, and the scrutineers duly appointed hereunder, and any voters not exceeding six in number being actually engaged in voting, to be designated if necessary by the returning officer or deputy, shall alone be permitted at any one time to enter or remain in the polling room during the taking of the poll.

Returning officer to exhibit box before taking the poll. "*The Electoral Act* 1865" *s.* 99.

238. Immediately before proceeding to take the poll at any booth the returning officer or deputy (as the case may be) shall exhibit for the inspection of the candidates and scrutineers and poll clerks who may be present the ballot box open and empty; and shall forthwith thereafter close and lock the same being still empty and set and keep the same unopened upon the table at which he is to preside and in view of such persons as shall from time to time be present in the polling booth, and shall keep the key of the said box.

Time for keeping open the poll. "*The Legislative Council Act* 1881" *s.* 46.

†239. Every polling at any election for the Council shall commence on the day appointed for the same at eight of the clock in the forenoon and shall unless lawfully adjourned finally close at five of the clock in the afternoon of the same day and shall be conducted in manner mentioned in this Act.

Hours of polling. "*The Electoral (Amend.) Act* 1888" *s.* 48. *Sec.* 7 *Act* 1895. Thirty-seventh Schedule.

240. Every polling at any election for the Legislative Assembly shall in the districts named in the Thirty-seventh Schedule hereto commence on the day appointed for the same at eight of the clock in the forenoon and shall unless lawfully adjourned finally close at seven of the clock in the afternoon of the same day; and every polling at any election for the Legislative Assembly shall in every district other than those named in the Thirty-seventh Schedule hereto commence on the day appointed for the same at eight of the clock in the forenoon and shall unless lawfully adjourned finally close at six of the clock in the afternoon of the same day; and all such pollings shall be conducted in manner mentioned in this Act as amended by any Act for the time being in force.

* See section 33 of Act No. 1864. Not necessary for returning officer to sign or initial all ballot papers or to certify to all rolls used at the election—deputies can do this.

† Act No. 1896, section 5:—In elections for the Legislative Council, at every polling booth where on any day a poll at a Legislative Assembly election is also being taken, the polling for the Council on such day shall (notwithstanding anything to the contrary in section 239 of the Constitution Act 1890) commence and close at the same times respectively as the polling for the Assembly at such booth.

Who may vote and where. "*The Electoral Act* 1865" *s.* 101.

241. Every person, who shall for the time being be enrolled upon an ordinary electoral roll in force for any division of a province or district (as the case may be), and shall be the holder of an elector's right under the provisions of this Act purporting to entitle him to vote in and for such division, and shall be possessed as hereinbefore provided in that behalf of the qualification in respect of which such right was issued, and every person who shall for the time being be enrolled on any roll of ratepaying electors for any division of a district, shall be entitled to vote in such division of the province or district (as the case may be) at the polling place for such division; and no person shall vote more than once at the same election. Provided that no person shall be permitted to vote at any election in respect of a residential qualification who has not resided in Victoria for at least six months of the twelve months last past before such election.

How votes to be tendered. *Ib. s.* 102.

242. Every person tendering his vote shall do so in manner following (that is to say):— he shall state to the returning officer or deputy his christian names and surname and such other particulars of those hereby required to be expressed in the electoral roll as the said returning officer or deputy may, for the purpose only of ascertaining upon the roll the name intended by such person, require; and shall also, if he claim to vote as the holder of an elector's right, exhibit to the returning officer or deputy the elector's right which shall purport to entitle him to exercise such right of voting; and shall demand a ballot paper.

Duty of returning officer or deputy on vote being tendered. *Ib. s.* 103.

243. When any person shall have tendered his vote at any polling place in manner hereinbefore required, the returning officer or deputy shall ascertain that the name given by such person is upon the elector's right (if any) exhibited by him and also (as the case may be) upon an ordinary roll or upon the roll of ratepaying electors in force for the division for which such polling place is appointed of the province or district: and shall compare such elector's right with such name upon the roll and the particulars stated against the same, so as by inspection to satisfy himself of the identity of the person to whom such elector's right shall have been issued, with the person so named on the roll.

Questions may be put. *Ib. s.* 104.

244. After having found upon the proper roll the name intended by any person tendering his vote, the returning officer or deputy may, if he think fit, and shall, if required so to do by any scrutineer or by any two persons entitled to vote at the polling place at which he resides, put to any such person, before he shall have received a ballot paper and not afterwards, the questions following hereinafter called "The prescribed questions" (that is to say):—

(i.) Are you the person whose name appears as (A.B. No.) in the general roll (*or as the case may require* the supplementary roll) (*or* the roll of ratepaying electors) in force for this division of the province (*or* district)?

(ii.) (*If the person claims as the holder of an elector's right*) Was the elector's right now exhibited by you issued to you? and have you now the qualification in respect of which the same was issued or the like qualification in some other division of this province or district and in what division? and is the signature (A.B.) appearing on the said elector's right your signature?

(iii.) (*If he claims for a residential qualification*) Have you resided in Victoria for at least six months of the twelve months now last past?

"*The Legislative Council Act* 1881" *s.* 2.

(iv.) Have you already voted in this province [*or* district] at the present election?

(v.) (*If the person claims to vote in respect of rateable property*) Are you a natural born or a naturalized subject of Her Majesty Queen Victoria?

Prescribed question (v) to be answered. *Ib. s.* 36. "*The Legislative Council Amend. Act* 1888" *s.* 2.

245. If any person having tendered his vote at any election of a member to serve in the Council shall refuse or omit distinctly to answer "the prescribed question" No. (v.) as set out in the last preceding section or if he answers that he is a nautralized subject of Her Majesty, but shall fail to produce his letters of naturalization on being required so to do by the returning officer, he shall be and be deemed prohibited from voting then or afterwards at such election.

Questions may be put on tendering vote. *Act No.* 708 *s.* 6.

246. For the purpose of identifying the holder of a renewed right with the person whose name appears on the general roll any returning officer or deputy returning officer before he shall permit such holder to vote in accordance with the provisions hereinbefore contained may if he think fit and shall if required so to do by any scrutineer or by any two persons entitled to vote at the polling place at which he presides (in addition to any other questions which he may by law put to such holder) put to any such holder before he shall have received a ballot paper but not afterwards the questions following (that is to say):—

(1) Are you the person whose name appears in the general roll in force for this division of this district (*or* province)?

(2.) Have you delivered up to the electoral registrar your original right?

(3.) Is this the right issued in lieu of such original right?

"*The Statute Law Revision Act* 1886" *s.* 2.

And any person who shall wilfully and knowingly make a false answer to any of the questions so put to him by such returning officer or deputy returning officer shall upon conviction by any two justices of such offence be imprisoned for any time not exceeding six months.

Provision for case where person stated to be dead claims to vote. "*The Electoral (Amend.) Act* 1888" *s.* 41.

247. If at any election of a member of the Legislative Assembly any person whose name appears upon the roll of ratepaying electors or upon an ordinary electoral roll for the district with the word "dead" written upon a copy thereof under the provisions of section one hundred and ninety-eight of this Act opposite such name tender his vote, the returning officer or deputy shall require such person tendering his vote before he receives a ballot-paper to make a solemn declaration that he is the person in whose name he claims to vote in the manner and form following (that is to say):—

I (A.B.) do solemnly and sincerely declare that I am the person (A.B.) whose name appears upon the roll now in force for the electoral district of , with the word "dead" written upon a copy thereof opposite such name, and I make this solemn declaration conscientiously believing the same to be true.

If any person wilfully make a false declaration in manner aforesaid or personate any deceased elector for the purpose of voting at any election he shall be guilty of a misdemeanor. Before any

person makes any such declaration the returning officer or deputy may warn him that if he makes a false declaration he will be guilty of a misdemeanour and liable to be both fined and imprisoned. "*The Electoral (Amend.) Act* 1888."

248. The returning officer or deputy may, if he think fit, and shall, if required so to do by any scrutineer or by any two persons entitled to vote at the polling place at which he presides, require any person tendering his vote before he shall receive a ballot paper to sign his name in a book to be kept for that purpose; and if such person claim to vote as the holder of an elector's right, the returning officer shall compare such signature with the signature purporting to be that of the holder of such elector's right and appearing thereon as hereinbefore provided. Voter may be required to sign book. "*The Electoral Act* 1865" *s.* 105.

249. The returning officer or deputy may, if he think fit, and shall, if called upon so to do by any scrutineer, require of any person tendering his vote before he shall receive a ballot paper to make a solemn declaration against bribery in the manner and form following (that is to say):— Declaration against bribery may be required of voter. *Ib. s.* 106.

> I (A.B.) do solemnly declare that I have not received or had by myself or any person whatsoever in trust for me or for my use or benefit or for the use or benefit of any member of my family or kindred or any friend or dependent directly or indirectly any sum of money office place of emolument gift or reward or any promise or security for, nor do I expect to receive, any money office place of emolument gift or reward, by way of consideration either expressed implied or understood for giving my vote at this election.

250. If any person having tendered his vote to whom the prescribed questions shall be so put as aforesaid shall refuse or omit distinctly to answer the same and each part thereof, or shall not answer absolutely in the affirmative such of the first three of the prescribed questions as shall apply to his claim to vote naming truly as to the second question the division in which his present qualification arises and absolutely in the negative the fourth of the prescribed questions, and if any person having tendered his vote as the holder of an elector's right and being so required to sign his name as aforesaid shall refuse or omit to do so, and if any person having tendered his vote as a ratepaying elector shall, being required and being able so to do, refuse or omit to sign his name as aforesaid, and if any person having tendered his vote and being so required to make such declaration as aforesaid shall refuse or omit so to do, he shall be and be deemed prohibited from voting then or afterwards at such election; and shall be guilty of an offence, and on conviction shall forfeit and pay for the same a penalty not exceeding Twenty pounds. Omission or refusal to answer questions sign name or make declaration an offence. *Ib. s.* 107.

251. No person having tendered his vote as the holder of a substituted elector's right shall be entitled to exercise the right of voting or to demand a voting paper if such substituted elector's right shall appear by the date thereon to have been issued within seven days before the day appointed for the polling at the election at which such substituted elector's right shall be exhibited. Restriction upon holder of substituted elector's right. *Ib. s.* 108.

252. When any person shall have tendered his vote in manner hereinbefore mentioned, and the name in which he shall demand to vote shall appear as well in an ordinary roll in force for the division of the province or district as in the elector's right produced by him, or shall appear in the roll of ratepaying electors in force for the division of the district, the returning officer or deputy shall, unless such person be prohibited from voting for some of the causes hereinbefore mentioned, forthwith write upon the back of one of the ballot papers so signed or initialed as aforesaid and as near as practicable to the lower edge thereof the number corresponding to the number set opposite such person's name in such roll together with the figures and initial letters of the title of such roll, and so that in folding up such ballot paper as hereinafter mentioned the voter may easily conceal from view the said writing; and shall deliver to such person such ballot paper, and shall forthwith mark upon a certified copy of such roll against the name of such person the fact of his having received such ballot paper, and mark such elector's right with his initials and with the date expressed in the following figures (that is to say) the number of the day in the month the number of the month in the year and the number of the year in the century of our Lord, and return the same to such person. Duty of returning officer when voter's name appears in ordinary roll elector's right or roll of ratepaying electors. *Ib. s.* 109.

253. Every person to whom a ballot paper shall have been delivered as aforesaid shall forthwith retire alone to some unoccupied compartment of the polling booth; and shall there alone and without delay strike out from such ballot paper the names of the candidates for whom he does not intend to vote; and shall forthwith fold up such ballot paper in such manner as will conceal the names of the candidates; and deposit it in the ballot box in the presence of the returning officer or deputy. How vote to be recorded. *Ib. s.* 110.

254. At every election for any province or district each elector may give and exercise as many votes as there are members to be then and there elected for such district; and at every such election every such elector may give not more than one vote to each or any candidate not exceeding the number of members then to be elected; and any ballot paper recording more than the legal number of votes at any election shall be rejected at the close of the poll. Number of candidates to be voted for. *Ib. s.* 111.

255. If at any polling booth any ballot paper shall have been delivered to any person having tendered his vote, and if any other person shall afterwards tender his vote at such booth as of the same person in whose name such first-mentioned person shall have received such ballot paper, the returning officer or deputy shall put to the person so secondly tendering the prescribed questions; and also shall require him to sign his name in the book and in the manner aforesaid; and such person shall and may be dealt with in all respects in like manner as any other person having tendered his vote; but the ballot paper of such person shall not be deposited in the ballot box or allowed by the returning officer or deputy, and shall be set aside by him for separate custody. Duty of returning officer when a second vote is tendered for one name. *Ib. s.* 112.

256. If any person shall have tendered his vote as the holder of an elector's right, and his writing in the book hereinbefore mentioned of the name in which he shall demand to vote shall not in the opinion of the returning officer or deputy be of the same handwriting as the signature appearing upon the elector's right produced by him and purporting to be the signature of the holder thereof, the returning officer or deputy shall set aside for separate custody as in His duty when signatures appear to differ. *Ib. s.* 113.

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the next preceding section mentioned the ballot paper of such person and shall not allow the same.

How vote of blind or uneducated voter to be taken. *Ib. s.* 114.

257. If any person to whom a ballot paper shall have been delivered as aforesaid shall be blind, or being a ratepaying elector be unable to read, and shall signify the same to the returning officer or deputy, such returning officer or deputy may and shall, at the request of such person and for him and in presence of a witness if so desired by such person, strike out in the polling booth from such ballot paper the names of such candidates as such person may designate.

No ballot paper to be taken out of polling booth. *Ib. s.* 115.

258. During the polling at any election no person shall take any ballot paper out of the polling booth save into one of the compartments aforesaid; and no person shall enter any such compartment while any other person shall be therein; and no person being in any such compartment shall remain there for a longer time than such as shall be reasonably required for the purpose of striking out the names from his ballot paper. And any person wilfully offending against the preceding provisions of this section or otherwise obstructing or unnecessarily delaying the proceedings at any such polling shall on conviction forfeit and pay for every such offence a penalty not exceeding Fifty pounds.

Obstruction of proceedings an offence.

Returning officer or deputy may cause arrest of offenders under this Act. *Ib. s.* 117.

259. Every returning officer and deputy shall have power and authority to maintain order and keep the peace at any election or polling held by him; and without any other warrant than this Act to cause to be arrested and taken before a justice any person reasonably suspected of committing or attempting to commit at any polling place any of the offences which are made misdemeanours hereby; and also to cause to be removed any person who shall obstruct the approaches to any polling booth or wilfully or unnecessarily obstruct or delay the proceedings at the polling or conduct himself in a disorderly manner or cause a disturbance at any election; and all constables and peace officers shall aid and assist such returning officer or deputy in the performance of his duty.

How and when number of votes to be ascertained. *Ib. s.* 118.

260. Immediately upon the close of the poll the returning officer and every deputy at the polling place at which each shall preside shall, in the presence and subject to the inspection of such of the scrutineers as choose to be present and the poll clerk (if any) but of no other persons, open the ballot box and proceed to ascertain the number of votes for each candidate; and shall upon and after such opening both abstain himself from inspecting the writing upon the back of the ballot papers, and take care that the same is not seen by any person present before the papers are enclosed in a sealed parcel as herein provided.

Sealing and transmission by deputies of separate parcels of ballot papers, &c. *Ib. s.* 119.

What to be done with books, paper, rolls, &c.

261. Immediately after ascertaining the total number of votes as last aforesaid, each deputy returning officer shall make up in one parcel the ballot papers which shall have been used in voting at his polling booth during the election; in another separate parcel, the ballot papers which shall have remained unused thereat; in another separate parcel, the ballot papers which shall as herein provided have been set aside for separate custody thereat; and in another separate parcel the certified copies of rolls supplied to the said deputy signed by him and all books rolls and papers kept or used by him during the polling; and shall seal up the said several parcels; and shall permit any of the scrutineers who may desire to do so to affix his or their seals to such parcels; and shall endorse the same severally with a description of the contents thereof and with the name of the province [*or* district *as the case may require*] the name of the division and polling booth and the date of the polling; and sign with his name the said endorsement; and shall transmit the said parcels to the returning officer.

Account of ballot papers and verification thereof and of list of votes. *Ib. s.* 120.

262. Each deputy shall together with the parcels aforesaid transmit to the returning officer a list of the total number of votes received by each candidate; and also an account in which such deputy shall charge himself with the number of ballot papers originally delivered to him, specifying therein the number thereof delivered to and used by voters and the number not so delivered or left unused and the number set aside as aforesaid for separate custody: and every such list and account respectively shall be verified as well by the signatures of the said deputy and the poll clerk (if any) as also by the signatures of such of the scrutineers as shall be present and shall consent to sign the same.

Returning officers' parcels. *Ib. s.* 121.

263. The returning officer shall in respect of the polling booth at which he himself shall have presided make up in separate parcels in like manner as is herein required of deputy returning officers all ballot papers used unused or set aside as aforesaid, and all books rolls and papers kept or used by him at such polling booth; and shall seal up and also permit to be sealed up by the scrutineers, and shall endorse in like manner as aforesaid the said several parcels, and deal with the same as hereinafter provided; and shall also make out in respect of the said booth the like list as herein required in the case of deputy returning officers, which said list shall be verified by the signature of the returning officer the poll clerk (if any) and scrutineers in manner aforesaid.

Declaration of poll. *Ib. s.* 122.

264. The returning officer shall make up from the list made out by him as last aforesaid and from the list so transmitted by the deputy returning officers as aforesaid the general state of the poll; and shall, as soon as conveniently may be after the taking of the poll, by notice signed by him and posted in some conspicuous position at the principal polling place and also inserted in some newspaper published in the province or district or if none such be published then in a Melbourne daily newspaper, announce the number of votes given to each candidate and declare those candidates not exceeding the number to be elected who have received at all the polling places the greatest number of votes to be duly elected as members for the province or district (as the case may be): and if two or more candidates shall have received an equal number of votes, the returning officer shall in such case have the casting vote but shall not otherwise vote at such election; and the names of the persons so elected shall be endorsed on the writ by the returning officer; and the writ shall be by him returned to the Governor President or Speaker, whosoever shall have issued the same, within the time specified therein.

Casting vote of returning officer.

Separate parcels to be enclosed in *Ib. s.* 123.

265. The returning officer shall as soon as practicable after the day of polling at any election enclose in separate packets in manner hereinafter mentioned as well all the parcels so as aforesaid transmitted to him, as also those made up and sealed by himself in respect of the polling booth at which he shall have presided (that is to say):—he shall enclose in one separate packet all parcels of used ballot papers: in another all parcels of unused ballot papers in another all parcels of ballot papers set aside as

aforesaid: and in another all parcels containing copies of rolls books or other papers as herein provided; and shall seal up the said several packets and endorse the same with a description of the contents thereof respectively and the name of the province or district (as the case may require) and the date of the polling, and sign with his name the said endorsement, and shall forthwith forward the said packets to the Clerk of the Legislative Council or Legislative Assembly according as the election may have concerned the one or the other, to be by him safely kept for two years: and he shall also at the same time seal up and transmit to the said clerk a parcel containing all ballot papers which shall have been printed for the said election and not used by the returning officer or distributed for use to his deputies; and the said clerk shall forthwith give or send to the returning officer a receipt under his hand for the said packets and parcel.

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packets according to class and sealed, &c.

266. Any ballot paper, and any copy of a roll, and any book purporting to be taken from any such parcel as aforesaid and having written thereon respectively under the hand of the Clerk of the Legislative Council or Clerk of the Legislative Assembly (as the case may require) a certificate of the several particulars hereby required to be endorsed upon such parcel and that the same was so taken from such parcel, shall be evidence in any court of justice or before any committee of elections that the same was so taken; and that the same if a ballot paper was deposited and if a roll or book was kept or used at the election and booth to which such endorsement and writing relate; and every such ballot paper so certified shall be evidence of a vote given at such election; and the correspondence of the number and initial letters and figures of a roll appearing on such ballot paper with the number appearing on and the initial letters and figures of any roll so certified as of the same election and booth against any name shall be evidence of the person so named having voted at such election and booth and according to the tenor of the said ballot paper.

s. 124.

Ballot papers and copies of rolls and books to be evidence.

267. When the proceedings for taking of the poll at any election shall be interrupted or obstructed at any place by any riot or open violence, the returning officer or deputy (as the case may be) shall not for such cause finally close the poll, but shall adjourn the taking of the poll at the polling place at which such interruption or obstruction shall have happened to the following day; and if necessary such returning officer or deputy shall further adjourn such poll until such interruption or obstruction shall have ceased, when such returning officer or deputy shall again proceed with the taking of the poll at the place at which the same may have been so interrupted or obstructed.

Polling may be adjourned if interrupted by riot or open violence.

Ib. s. 126.

268. If from any cause not being such as lastly hereinbefore mentioned no polling shall have been opened at any booth of a polling place for any province or district on the day named for the purpose in any writ of election for the same, the polling at such booth shall stand adjourned to a day not later than seven clear days following the day upon which such polling was to have taken place; and the returning officer or deputy (as the case may be) shall forthwith cause public notice to be given thereof.

Adjournment of polling for other causes.

Ib. s. 127.

269. Where any poll shall have been adjourned as aforesaid by any deputy of the returning officer, such deputy shall forthwith given notice thereof to the returning officer; and in every such case and also where any polling shall stand adjourned as in the last preceding section mentioned, the returning officer shall not notify the total number of votes given or finally declare upon which candidates the election has fallen, until the poll so adjourned shall have been finally closed and the ballot papers transmitted to the returning officer.

On adjournment by deputy notice to be given to returning officer.

Ib. s. 128.

270. No such adjournment as aforesaid of the proceedings at any election shall be made or extend to the day named as the return day in the writ for such election; and if the polling shall not have been completed before the day named, the returning officer shall forthwith endorse that fact upon the writ and shall return the same.

Limit of adjournments.

Ib. s. 129.

271 No election shall be liable to be questioned by reason only of any defect in the title or any want of title of the person by or before whom such election or any polling for the same shall have been held, if such person have been actually appointed to preside or have been acting in the office giving the right so to preside at such election.

Election not to be void for want of or defect in title of officers.

Ib. s. 130.

272. No election shall be void in consequence only of there having been no returning officer at the time of the issue of the writ or of any delay in the return of the writ; and where any accidental or unavoidable impediment misfeasance or omission shall have happened, the Governor in Council may take all such measures as may be necessary for removing such impediment or rectifying such misfeasance or omission; or may declare any or all of the proceedings at or for any election valid as to and notwithstanding such impediment misfeasance or omission; and every such Order in Council shall state specifically the nature of the impediment misfeasance or omission and shall be forthwith published in the "*Government Gazette*."

Nor for omission, &c., of a formal nature.

Governor in Council to take measures to cure defect

Ib. s. 131.

273. If the returning officer of any province or district, or if any person having been appointed hereunder to act as such returning officer or his substitute or deputy returning officer at any election for the same respectively and undertaken so to act, shall be guilty of any wilful misfeasance or wilful or negligent act of commission or omission contrary to any of the provisions herein contained and not otherwise provided for, he shall upon conviction by and before any court of general sessions having jurisdiction in any part of such province or district forfeit and pay for every such offence a penalty not less than Ten nor more than Two hundred pounds;* and every such court may and shall hear and determine such charge in a summary way.

Penalty for neglect, &c., by returning officer.

Ib. s. 133.

Division 3.—Regulation of Elections.

274. For the purposes of the succeeding provisions of this Part of this Act the words "candidate at an election" and the words "candidate at any election" shall include all persons elected to serve in Parliament at such election, and all persons nominated as candidates at such

Meaning of term "candidate."

Ib. s. 134.

* The prosecution under this section must be instituted by the Attorney or Solicitor General or by a prosecutor for the Queen.—*Reg.* v. *Cope, ex parte Willder*, 4 V.L.R. (L.), 397.

"*The Electoral Act* 1865." *s.* 134.

"At or during any election."

election, or who shall on or after the day of the issuing the writ for such election or after the dissolution or vacancy in consequence of which such writ shall have been issued have declared their intention of becoming candidates at such election or their consent so to do. And the words "at an election" "at any election" and "during any election" as used in this Division of this Part of this Act shall mean and include the whole period from the day of nomination named in any writ of election until the day on which the returning officer shall publicly publish and declare the result of such election, both days inclusive.

Who guilty of or punishable for bribery.

Ib. s. 135.

See 17 & 18 Vict. c. 102 s. 3.

275. The following persons shall be guilty of bribery:—

(i.) Every person who shall directly or indirectly by himself or by any other person on his behalf give or lend or agree to give or lend, or shall offer promise or procure or promise or endeavour to procure, any money or valuable consideration to or for any elector or any other person on behalf of any elector in order to induce any elector to vote or refrain from voting or shall knowingly do any such act as aforesaid on account of such elector having voted or refrained from voting at any election:

(ii.) Every person who shall directly or indirectly by himself or by any other person on his behalf give or procure, or agree to give or procure offer promise or promise to procure or to endeavour to procure, any office place or employment to or for any elector or any other person, or who shall retain or dismiss any elector or other person in or from any office place or employment in order to induce such elector to vote or refrain from voting, or shall knowingly do any such act as aforesaid on account of any elector having voted or refrained from voting at any election:

(iii.) Every person who shall directly or indirectly by himself or by any other person on his behalf make any such gift loan offer promise procurement or agreement as aforesaid to or for any person in order to induce such person to procure or endeavour to procure the return of any person to serve as a member of the Council or Assembly respectively or the vote of any elector at any election:

(iv.) Every person who shall upon or in consequence of any such gift loan offer promise procurement or agreement procure or engage promise or endeavour to procure the return of any person to serve as a member of the Council or Assembly or the vote of any elector at any election:

(v.) Every person who shall advance or pay or cause to be advanced or paid any money to or for the use of any other person with the intent that such money or any part thereof shall be expended in bribery at any election, or who shall knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at an election.

Bribery a misdemeanor.

And any person so offending shall be guilty of a misdemeanor and shall on conviction be punishable accordingly; and shall also be incapable of voting at such election; and his vote if given shall be utterly void and of no effect. Provided that the aforesaid provisions shall not extend or be construed to extend to any money paid for or on account of any law expenses *bonâ fide* incurred at or concerning any election.

Bribery on part of electors a misdemeanor.

Ib. s. 136.

276. The following person shall also be deemed guilty of bribery:—

(i.) Every elector who shall before or during any election directly or indirectly by himself or by any other person on his behalf receive agree or contract for any money or valuable consideration office place or employment for himself or for any other person for voting or agreeing to vote or for refraining or agreeing to refrain from voting or for inducing any other person to vote or to refrain from voting at any election:

(ii.) Every person who shall before during or after any election directly or indirectly by himself or by any other person on his behalf receive any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or to refrain from voting at any election.

And any elector or person so offending shall be guilty of a misdemeanor and shall on conviction be punishable accordingly; and shall also be incapable of voting at such election; and his vote if given shall be utterly void and of no effect.

Hiring of vehicles at elections prohibited. "*The Legislative Council Act* 1881" *s.* 42.

277. Any candidate or any agent of his who shall hire or afterwards pay for any conveyance hired for the purpose of bringing or carrying of any elector other than himself in order that such elector may vote at any election or for the purpose of taking away any elector other than himself after he shall have so voted shall be deemed guilty of bribery within the meaning of this Part of this Act.

Treating and its consequences. "*The Electoral Act* 1865" *s.* 137. See 17 & 18 Vict. c. 102 s. 4. 21 & 22 Vict. c. 87. 25 & 26 Vict. c. 109. 26 & 27 Vict. c. 29.

278. Every candidate at an election who shall corruptly by himself or by or with any person or by any other ways or means on his behalf at any time either before or during any election directly or indirectly give or provide or cause to be given or provided or shall be accessory to the giving or providing or shall pay or allow any person to pay on his behalf wholly or in part any expenses incurred for any meat drink entertainment or provisions to or for any person, in order to forward his election or for being elected or for the purpose of corruptly influencing such person or any other person to give or refrain from giving his vote at such election, or on account of such person having voted or refrained from voting or being about to vote or refrain from voting at such election, shall be deemed guilty of the misdemeanor of treating; and every elector who shall corruptly accept or take any meat drink refreshment or provision so paid for given or provided shall be incapable of voting at such election; and his vote if given shall be utterly void and of no effect.

"*The Electoral Act* 1865" *s.* 138.

Penalty for treating.

279. Any person who shall give or cause to be given to any elector during any election on account of such elector having voted or being about to vote any meat drink or entertainment by way of refreshment or any money or ticket to enable such elector to obtain refreshment shall be deemed guilty of a misdemeanor; and shall on conviction be punished accordingly and shall also be incapable of voting at such election; and his vote if given shall be utterly void and of no effect.

280. Every person who shall directly or indirectly by himself or by any other person on his behalf make use of or threaten to make use of any force violence or restraint, or inflict or threaten the infliction by himself or by or through any other person of any injury damage harm or loss, or in any other manner practise intimidation upon or against any person in order to induce or compel such person to vote or refrain from voting or on account of such person having voted or refrained from voting at any election, or who shall by abduction duress or any fraudulent device or contrivance impede prevent or otherwise interfere with the free exercise of the franchise by any elector, or shall thereby compel or induce or prevail upon any elector either to give or refrain from giving his vote at any election, shall be guilty of a misdemeanor punishable by fine and imprisonment.

"*The Electoral Act*, 1865."
Intimidation.
Ib. s. 139.
17 & 18 Vict. c. 102 s. 5.

281. No candidate before during or after any election shall in regard to such election wear or carry, or by himself or agent directly or indirectly give or provide to or for any person having a vote at such election or to or for any inhabitant of the province or district for which such election is had, any cockade ribbon or other mark of distinction; and every person so giving or providing shall for every such offence forfeit and pay on conviction the sum of Ten pounds.

Wearing carrying or providing cockades flags &c. prohibited.
Ib. s. 140.
Ib. s. 7.
46 & 47 Vict. c. 51. s. 16.

282. No action suit or other proceeding whatsoever shall be brought or maintained whereby to charge any person upon any contract or agreement for the loan of money or the doing of any work or service or the supply of any goods for or towards or concerning or in carrying on or prosecuting any election of a member under this Act or any Act hereby repealed. Provided that this section shall not apply to contracts agreements or payments by officers or others appointed by or under this Act or any former Act in carrying out the several matters or things therein or thereby authorized and required.

No action &c. for goods or work or service in prosecuting an election.
Ib. s. 141.
Proviso as to officers under this Act.

283. If any candidate at any election for any province or district (whether held under this or any former Act) shall be declared by any election committee of the Council or Assembly respectively guilty of bribery treating or undue influence at any election, such candidate shall be incapable of being elected or sitting as a member for any province during the period of five years from the day of declaration of the election at which he shall have committed such offence, or of being elected or sitting as a member for any district until the following general election.

Candidates guilty of offences under this Act incapable of sitting or being elected.
Ib. s. 142.
17 & 18 Vict. c. 102 s. 36.
31 & 32 Vict. c. 125 s. 43.

284. Any person who shall make any wager bet or other risk of any nature whatsoever upon the result of any election for members of the Council or Assembly shall forfeit and pay a penalty not exceeding Twenty pounds; and every such wager bet or other risk shall be and is hereby declared an illegal act.

Wagers &c. on result of elections prohibited.
Ib. s. 143.

285. Any person not being duly authorized who shall wear carry or have on or about his person any gun pistol sword bludgeon or other offensive weapon at any election, shall forfeit and pay a penalty not exceeding Twenty pounds nor less than Two pounds: and every such person so offending shall be liable to be apprehended by any constable or other peace officer either upon the view of such constable or other peace officer or by direction of any returning or deputy returning officer; and such person when so apprehended shall be conveyed to any place of confinement until he can be brought before some justice of the peace to be dealt with according to law.

Carrying offensive weapons at elections punishable.
Ib. s. 144.

Division 4.—Miscellaneous.

286. So far as relates to the Legislative Council when any matter or thing shall be directed by this Part of this Act or by any writ issued in pursuance thereof to be performed on a certain day and that day shall happen to be Sunday or on any day specially named in the "Public Service Act, 1890," or in any Act to be hereafter passed to be observed as a holiday in the public offices, such matter or thing shall be performed on the day next afterwards not being Sunday or one of the days specially named to be observed as aforesaid.

So far as relates to the Legislative Assembly whenever any day provided or appointed by or under this Part of this Act for any purpose shall in any year happen on a Sunday Good Friday or Christmas Day, then such provision and appointment shall take effect as for the day following; and all further changes of time rendered necessary by any such alteration may also lawfully be made.

Provisions as to Sundays and holidays.
"*The Legislative Council Act* 1881" *s* 48.
"*The Electoral Act* 1865" *s.* 3.

287. No person shall be liable to any penalty forfeiture or punishment imposed by the provisions of this Part of this Act or of any of the enactments hereby repealed and re-enacted in this Part unless the prosecution for the offence committed shall be commenced against such person within the space of three months next after such offence shall have been committed.

Limitation of time.
Ib. s. 145.

288. If at the hearing of any information under the two hundred and fiftieth or the two hundred and seventy-third section hereof it shall appear to the court or justices that such information is unfounded frivolous or vexatious, it shall be lawful for the court or justices whether the information be dismissed or not, to order that the prosecutor shall pay to the defendant such costs together with such further sum by way of compensation as shall seem reasonable; and the same shall be recovered in like manner as any sum ordered to be paid by justices.

Costs and compensation may be awarded to defendant
Ib. s. 146.

289. All moneys received by any registrar or other officer under the provisions of this Part of this Act shall be deemed to be received on account of and be paid to the consolidated revenue of Victoria; one-half of the amount of all fines and penalties recovered under either of the last-mentioned sections hereof shall go and be applied to the use and benefit of the informer or person prosecuting, and no proceeding under either of the said sections or under the ninety-fourth or the one hundred and seventy-eighth section hereof shall be removed by *certiorari* into the Supreme Court.

Appropriation of fees and penalties.
Ib. s. 147.

290. It shall be lawful for the Governor from time to time by warrant under his hand to authorize and direct that all such moneys as shall from time to time be required for paying any expenses lawfully incurred or to be incurred under and in the execution of the provisions of this Part of this Act be paid out of the consolidated revenue, and the same shall be so paid accordingly.

Payment of expenses.
Ib. s. 148.

APPENDIX "A."

ELECTORAL PROVINCES AND DISTRICTS.

THE CONSTITUTION ACT AMENDMENT ACTS.

Rates of Allowances to Substitute Returning Officers.

	£	s.	d.
1. Electoral Provinces—			
To a Substitute Returning Officer:—			
For a Province containing from 1 to 25 polling places—			
For a contested election, a sum of	20	0	0
For an uncontested election, a sum of	7	10	0
For a province containing from 26 to 50 polling places—			
For a contested election, a sum of	25	0	0
For an uncontested election, a sum of	9	0	0
For a province containing from 51 to 75 polling places—			
For a contested election, a sum of	30	0	0
For an uncontested election, a sum of	10	0	0
For a province containing from 76 to 100 polling places—			
For a contested election, a sum of	35	0	0
For an uncontested election, a sum of	11	0	0
For a province containing upwards of 100 polling places—			
For a contested election, a sum of	40	0	0
For an uncontested election, a sum of	12	0	0
2. Electoral Districts—			
To a Substitute Returning Officer:—			
For an uncontested election, a sum not exceeding	5	0	0
For a contested election in a district containing from 1 to 15 polling places, a sum not exceeding	10	0	0
For a contested election in a district containing from 16 to 30 polling places, a sum not exceeding	15	0	0
For a contested election in a district containing from 31 to 50 polling places, a sum not exceeding	20	0	0
For a contested election in a district containing from 51 to 75 polling places, sum not exceeding	25	0	0
For a contested election in a district containing upwards of 75 polling places, a sum not exceeding	30	0	0

If a Substitute Returning Officer acts for the Electoral Province as well as for an Electoral District, he shall be allowed only half the above rates fixed for the Assembly in addition to his fee for the province.

Under no circumstances will any extra fees be allowed for taking the referendum vote.

Allowances to Returning Officers for Clerical and Other Work.

No greater sum than appears by the following scale shall be allowed to Returning Officers who act for either Provinces or Districts, or for Provinces and Districts combined:—

	£	s.	d.
For a district or province containing in the aggregate, from 1 to 15 polling places, a sum of	4	0	0
For a district or province containing in the aggregate, from 16 to 30 polling places, a sum of	5	0	0
For a district or province containing in the aggregate, from 31 to 50 polling places, a sum of	6	0	0
For a district or province containing in the aggregate, from 51 to 75 polling places, a sum of	7	0	0
For a district or province containing in the aggregate upwards of 75 polling places, a sum of	8	0	0

Rates of Allowances to Returning Officers for Expenses of Conducting Elections for Electoral Provinces and Districts.

	£	s.	d.
1. To a Deputy Returning Officer:—For the polling day	2	0	0
2. To a Poll Clerk:—For the polling day	1	0	0

If the Deputy Returning Officers and Poll Clerks act for the District as well as for the Province they shall be paid an additional fee of £1 and 10s., respectively.

4. Hire or erection of booths:—The actual cost as proved by vouchers.
When a poll is taken in any schoolhouse or building not used exclusively for religious services, and which is supported wholly or in part by any public funds or by any perpetual endowment, or which has been built or is supported wholly or in part by any grant from the public revenue, the actual cost of erection of the "compartments" only will be allowed.

5. Stationery:—The actual cost, not to exceed in any case for each booth ...	0	2	6

6. Advertisements:—As certified by the Government Printer.

7. Travelling expenses:—

	£	s.	d.
To a Returning Officer, a Substitute Returning Officer, a Deputy Returning Officer, and to Special Messengers (except Police):—Only where indispensably necessary the actual expense incurred.			
To a Poll Clerk, when travelling only between his place of residence and that of the nearest Police Magistrate, Justice of the Peace, or Commissioner under the "Declarations and Affidavits Act, 1890," for the purpose of making a Declaration:—The actual expense incurred.			
In all the above cases, when the travelling can be done by rail or coach:—The actual fares only.			
The cost of travelling is in no case to exceed Sixpence per mile each way, the mileage to be specified on each account.			
And when the distance travelled exceeds twenty miles each way, for each day that he is necessarily absent from his residence, in addition:—			
To a Returning Officer	0	15	0
To a Substitute Returning Officer	0	10	0

Under no circumstances whatever will any charge for refreshments be allowed, or any fee for taking the referendum vote.

No. 7.

WESTERN AUSTRALIA.

The GOVERNOR to the SECRETARY OF STATE.

(Received July 2, 1906.)

My Lord, Government House, Perth, June 2, 1906.

I have the honour to acknowledge the receipt of your despatch of the 31st March last with reference to the cost of elections in the Colonies and, in reply, to transmit statements showing the cost of the General Assembly Elections held in this State for the years 1904 and 1905.

The reason of the cost of the election held in 1894 [? 1904] being so much in excess of that held in 1895 [? 1905] is that new rolls for the 50 districts had to be printed.

I am not forwarding a copy of this despatch to the Governor-General.

I have, &c.,
FRED. G. D. BEDFORD,
Governor.

Enclosure in No. 7.

Cost of General Assembly Election, 1905.

Wages and miscellaneous	£1,545	5	0
Fees to electoral officers	1,785	4	5
Advertising	209	9	5
Printing	1,470	9	11
Rent	52	10	6
Lighting, furniture, fitting, &c.	123	7	1
	£5,186	6	4

Note.—The above represents the cost of 39 contested elections.

COST OF GENERAL ELECTION, WESTERN AUSTRALIA, IN 1904, IN 40 CONTESTED ELECTIONS.

Returning Officers (fees)	£455	5	0
Presiding Officers (fees)	956	4	0
Poll Clerks (fees)	214	19	6
Advertising	176	0	6
Erecting polling booths	94	8	11
Stationery (purchased by Returning Officers) ...	3	11	7
Postages	39	12	6
Doorkeepers	8	18	0
Locomotion (train fares, horse hire, distributing and collecting ballot boxes, &c.)	234	19	11
Furniture (hire of)	27	14	0
Police (including forage for horses)	36	7	6
Rent and lights	75	11	8
Printing	4,652	1	11
Clerical assistance	292	19	8
Miscellaneous	21	15	1
	£7,290	9	9

NOTE.—Ten districts were uncontested.

No. 8.
NEW SOUTH WALES.

THE GOVERNOR to the SECRETARY OF STATE

(Received July 16, 1906.)

MY LORD, State Government House, Sydney, June 7, 1906.

IN compliance with the request contained in your Lordship's despatch of the 31st March last, I have the honour to transmit to you a report by the Chief Electoral Officer of this State giving the desired particulars with regard to the machinery and cost of contested elections in New South Wales.

I have, &c.,
HARRY H. RAWSON,
Governor.

Enclosure in No. 8.

REPORT ON THE ELECTORAL MACHINERY AND COST OF CONTESTED ELECTIONS IN THE STATE OF NEW SOUTH WALES.

State Electoral Office, Bridge Street, Sydney, May 28, 1906.

New South Wales, one of the States of the Commonwealth, is distributed into 90 electoral districts, each of which returns one member to the Legislative Assembly.

The qualification for an elector is that he must be a natural-born subject who has resided in New South Wales for a continuous period of one year, or a naturalized subject who has resided in the State continuously for one year after naturalization. It was provided that in either case he must have resided three months continuously in the district for which he claimed to vote; but, by an amending Act, the period of residence was reduced to one month in the case of a person already enrolled and who had but removed from one district to another. Every such person (male or female) being of the full age of 21 years, and not otherwise disqualified, is entitled to have his name on the electoral roll and to have an elector's right issued to him.

The disqualifications under the Constitution Act apply to persons attainted or convicted of treason, felony, or other infamous practice, in any part of His Majesty's dominions, unless they have received a free or conditional pardon or have undergone the sentence passed on them for such offence; and, under subsequent enactments, they also apply to persons in the Naval or Military Service on full pay (except the Militia or Volunteers) and to persons of unsound mind or in receipt of public charity.

General lists are prepared annually and contain the names of all persons on the rolls in force at the time they are made up, the names of persons who obtained

elector's rights since the last list was prepared, with the addition of the names of those persons who are entitled to be, but are not, enrolled for the district, which latter are collected by the police during a fixed period, immediately prior to the preparation of the list, when a scrutiny of the rolls is also made; the names of all persons who have died or permanently left the district being marked for the Electoral Registrars' subsequent objection.

These general lists are printed and copies exhibited at all post offices and court houses throughout the electorate, for a specified time, during which objections to names being retained thereon must be lodged.

The lists are subsequently revised at Revision Courts of which public notice is given in newspapers circulating in the district.

The revised lists, upon being printed, become the electoral rolls and remain in force until the next general rolls are printed.

A person to be qualified as a candidate must be the holder of an elector's right. Each candidate must be nominated by at least six electors for the district. The nomination must be made in writing, signed by the nominators, and endorsed by the candidate as consenting to the nomination. No elector can nominate more than one candidate. No deposit is required from a candidate. Proper provision is made for the appointment of Returning Officers, Substitutes, Deputies, Poll Clerks, and Scrutineers.

The poll remains open from 8 a.m. to 6 p.m. Every person claiming to vote must exhibit his elector's right, satisfy the Returning Officer that he is the person to whom such right was issued and demand a ballot-paper. He is then furnished with a ballot-paper containing the names of the candidates and his elector's right is punctured, initialed, and dated, to denote that he has voted at that election. The elector has to retire, with his ballot-paper, to some unoccupied compartment of the polling-booth, there to strike out the names of all the candidates on the paper except the one for whom he votes, and then fold the ballot-paper so that the names are not visible but that the puncture can be seen by the Returning Officer or his deputy, and deposit it in the ballot-box.

No elector can have more than one vote in the State; or, in other words, the "One adult one vote" principle is enforced.

No provision is made whereby an elector can record his vote if away from his own electorate, except where outside polling places have been appointed prior to the issue of the writs.

At the close of the poll the votes are counted and the result declared by a notice signed by the Returning Officer and posted in some conspicuous position at the principal polling place, and published in some newspaper circulating in the district.

Very stringent clauses against bribery, treating, or intimidation, are included in the Act. It is even forbidden to make a wager on the result of an election under a penalty of from £5 to £50.

Disputed elections are dealt with by a Committee of Elections and Qualifications selected from members of the Legislative Assembly on the nomination of the Speaker, with the approval of the House.

The expenses of preparing and printing rolls and elector's rights and issuing the same, providing polling-booths, payment of officials engaged in taking the poll, and material used, are borne by the State; but the candidate bears all his own and his agents' canvassing expenses, &c. The candidate is not restricted in his expenditure, but the penalties for bribery, treating, &c., have the effect of limiting them very considerably, and he must not provide vehicles for the purpose of conveying electors to the polling-booths.

No portion of the expenses of the election, which in 1904 ranged from £68 to £496—or an average of £206—per electorate, is borne by local boroughs or the constituencies.

A statement showing in detail the cost of taking the poll at the General Election, 1904, is attached, as is also a return* showing the total number of electors enrolled and the percentage of votes recorded at that election.

W. McIntyre,
Chief Electoral Officer.

The Under-Secretary,
Chief Secretary's Department,
Sydney.

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* Not printed.

Electorate.	Returning Officer.			Substitute.		Other Clerical Assistance.	Fees.		Travelling Expenses.		
	Honorarium.	Office Rent.	Expenses.	Fees.	Clerical Assistance		Deputy Returning Officers.	Poll Clerks.	Conveyance.	Allowance.	Special Messenger.
CITY.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Belmore	7 7 0	—	8 3 0	3 15 0	5 10 0	9 16 0	46 4 0	22 10 0	—	—	—
Darling Harbour	7 7 0	2 0 0	5 10 0	3 15 0	7 0 0	1 1 0	39 18 0	29 5 0	—	—	—
Darlinghurst	7 7 0	5 5 0	8 10 0	3 15 0	9 10 0	10 0 0	46 4 0	24 0 0	—	—	—
King	7 7 0	—	2 12 0	3 15 0	6 0 0	1 10 0	48 6 0	35 15 0	—	—	—
Phillip	7 7 0	3 0 0	—	4 7 6	3 0 0	—	33 12 0	10 10 0	—	—	—
Pyrmont	7 7 0	2 0 0	2 10 0	3 2 6	7 0 0	—	33 12 0	19 0 0	—	—	—
Surry Hills	7 7 0	4 4 0	9 6 10	3 15 0	10 0 0	1 15 0	50 8 0	26 15 0	—	—	—
Total	51 9 0	16 9 0	36 11 10	26 5 0	48 0 0	24 2 0	298 4 0	167 15 0	—	—	—
SUBURBAN.											
Alexandria	7 7 0	—	2 5 0	3 15 0	12 10 0	—	44 2 0	23 0 0	2 0	—	—
Annandale	7 7 0	—	1 9 0	3 15 0	7 10 0	—	50 8 0	36 10 0	—	—	—
Ashfield	7 7 0	—	2 0	1 5 0	1 10 0	—	18 18 0	14 5 0	—	—	—
Balmain	7 7 0	1 1 0	5 8 0	3 15 0	6 0 0	—	52 10 0	32 15 0	—	5 0	—
Botany	7 7 0	—	1 6 3	3 2 6	4 10 0	—	39 18 0	16 0 0	—	—	—
Burwood	7 7 0	—	6 0 0	3 15 0	5 5 0	1 12 0	39 18 0	13 5 0	1 17 9	—	—
Camperdown	7 7 0	2 10 0	1 10 0	3 2 6	5 10 0	—	33 12 0	15 5 0	—	—	—
Canterbury	7 7 0	—	1 6 8	3 2 6	2 10 0	—	33 12 0	16 5 0	—	—	4 0
Glebe, The	7 7 0	—	1 5 0	3 2 6	7 10 0	2 0 0	52 10 0	18 15 0	—	—	—
Gordon	15 15 0	—	9 12 6	3 2 6	6 10 0	—	56 14 0	22 5 0	4 12 6	1 0 0	—
Granville	7 7 0	—	10 5 0	3 15 0	7 10 0	—	44 2 0	32 0 0	—	—	—
Lane Cove	7 7 0	—	3 1 9	3 15 0	6 0 0	6 1 0	48 6 0	18 15 0	5 15 0	4 2 0	1 0 0
Leichhardt	7 7 0	3 0 0	1 15 0	3 15 0	8 0 0	—	35 14 0	19 10 0	3 18 0	—	1 5 0
Marrickville	7 7 0	—	3 8 0	3 2 6	5 10 0	—	33 12 0	20 0 0	—	—	—
Middle Harbour	7 7 0	—	4 18 0	3 15 0	1 0 0	—	25 4 0	15 0 0	3 15 6	1 14 6	—
Newtown	7 7 0	5 5 0	1 14 0	3 15 0	8 0 0	—	33 12 0	17 5 0	6 0	—	—
Paddington	7 7 0	—	13 8 0	3 12 6	7 10 0	—	48 6 0	27 15 0	5 0	—	—
Parramatta	7 7 0	—	—	3 15 0	5 10 0	—	48 6 0	28 5 0	4 5 6	10 0	—
Petersham	7 7 0	—	1 10 0	3 15 0	6 10 0	—	23 2 0	16 10 0	—	—	—
Randwick	7 7 0	—	15 11 6	3 5 0	10 0 0	—	37 16 0	22 10 0	—	—	—
Redfern	7 7 0	—	11 6	3 15 0	1 10 0	—	33 12 0	14 0 0	—	—	—
Rozelle	7 7 0	3 10 0	3 17 0	3 15 0	7 10 0	4 4 0	50 8 0	18 10 0	2 10 0	—	—
St. George	7 7 0	—	2 15 0	3 15 0	8 0 0	—	37 16 0	23 15 0	—	—	—
St. Leonards	7 7 0	4 0 0	12 2	3 15 0	8 2 0	1 10 0	37 16 0	19 10 0	—	—	—
Waverley	7 7 0	—	8 1 6	3 15 0	10 0 0	1 0 0	31 10 0	18 0 0	—	—	—
Woollahra	7 7 0	—	3 2 0	3 15 0	3 3 0	—	42 0 0	23 10 0	5 7 6	—	—
Total	199 10 0	19 6 0	104 14 10	91 2 6	163 0 0	16 7 0	1,033 4 0	548 0 0	32 14 9	7 11 6	2 9 0
COUNTRY.											
Albury	15 15 0	—	—	3 15 0	8 0 0	—	67 4 0	25 10 0	11 4 9	18 10 0	2 5 0
Allowrie	15 15 0	—	4 10 0	3 15 0	3 0 0	2 5 0	67 4 0	24 15 0	2 0 0	9 7 0	2 5 6
Armidale	15 15 0	—	—	—	—	21 0 0	69 6 0	24 10 0	16 4 0	23 15 0	2 15 0
Ashburnham	15 15 0	3 0 0	—	3 2 6	2 10 0	—	58 16 0	21 15 0	33 10 0	28 10 0	—
Bathurst	15 15 0	—	3 6 0	3 15 0	4 10 0	4 0 0	54 12 0	19 10 0	9 6 0	16 10 0	—
Bega	15 15 0	—	2 16 0	3 2 6	8 10 0	—	73 10 0	29 0 0	13 12 6	6 0 0	4 15 6
Belubula	15 15 0	6 0 0	1 10 0	3 15 0	9 1 0	6 2 0	98 14 0	37 10 0	37 9 3	48 0 0	15 0
Bingara (uncontested).	7 17 6	—	—	3 15 0	15 0	—	—	—	—	—	—
Blayney	15 15 0	6 0 0	—	3 15 0	10 10 0	12 1 0	98 14 0	36 0 0	7 0 10	24 14 0	4 0 0
Broken Hill (uncontested).	7 17 6	—	—	2 10 0	—	—	—	—	—	—	—
Burrangong	15 15 0	—	—	3 2 6	6 10 0	1 1 0	54 12 0	20 15 0	—	18 10 0	—
Camden	15 15 0	4 10 0	9 15 0	4 7 6	12 0 0	2 12 0	77 14 0	30 10 0	12 17 2	6 3 0	1 0 0
Castlereagh, The	15 15 0	1 15 0	—	3 2 6	8 0 0	4 0 0	88 4 0	32 15 0	39 10 0	45 0 0	6 9 0
Clarence, The	15 15 0	—	—	—	—	5 5 0	71 8 0	20 10 0	5 2 8	12 4 0	—
Clyde, The	15 15 0	—	1 0 0	4 7 6	5 7 6	5 0	60 18 0	22 10 0	4 15 0	8 10 0	3 10 6
Cobar	15 15 0	7 7 6	—	4 7 6	16 0 0	—	109 4 0	39 0 0	11 0 0	23 10 0	7 17 9
Cootamundra	15 15 0	—	6 4 0	3 15 0	1 0 0	—	48 6 0	18 0 0	18 0	13 17 0	1 0 0
Corowa	15 15 0	—	—	3 15 0	12 0 0	2 2 0	73 10 0	24 0 0	14 13 0	18 5 0	—
Darling, The	15 15 0	—	—	3 2 6	10 10 0	11 0 0	130 4 0	47 5 0	11 8 0	35 5 0	23 18 0
Deniliquin	15 15 0	1 5 0	—	3 2 6	8 10 0	2 0 0	63 0 0	23 5 0	14 10 0	16 0 0	8 16 6
Durham	15 15 0	—	12 5 0	—	—	4 10 0	67 4 0	27 0 0	3 0 0	14 7 6	5 10 0
Gloucester	15 15 0	—	13 10 0	2 10 0	10 0 0	3 10 0	88 4 0	33 10 0	1 4 0	2 10 0	11 13 0
Gough	15 15 0	—	14 14 0	2 10 0	6 10 0	4 4 0	58 16 0	24 0 0	15 8 8	1 0 0	18 14 0
Goulburn	15 15 0	1 7 6	4 3 0	3 15 0	5 0 0	—	56 14 0	21 0 0	1 12 0	3 11 6	8 8 6
Gwydir, The	15 15 0	2 0 0	1 8 0	4 7 6	17 0 0	11 1 0	107 2 0	38 10 0	56 9 0	127 10 9	35 5 0
Hartley	15 15 0	—	3 3 0	3 2 6	6 10 0	—	65 2 0	27 15 0	2 6 0	8 14 0	2 0 0
Hastings and Macleay	15 15 0	—	—	1 17 6	—	3 0 0	60 18 0	25 5 0	3 2 0	8 0 0	1 0 0
Hawkesbury, The	15 15 0	—	3 7 6	3 15 0	3 10 0	7 9 6	81 18 0	44 0 0	15 15 0	8 8 3	8 17 6
Kanibah	15 15 0	1 0 0	—	3 15 0	2 0 0	—	37 16 0	14 10 0	5 15 0	—	—
Lachlan, The	15 15 0	—	—	3 12 6	5 5 0	—	113 8 0	41 5 0	65 8 0	84 10 0	4 7 6
Liverpool Plains	15 15 0	—	3 3 4	3 2 6	—	10 0 0	79 16 0	27 15 0	10 19 0	19 10 0	10 0
Macquarie, The	15 15 0	2 0 0	7 0	3 15 0	7 10 0	6 8 0	98 14 0	50 10 0	27 8 6	18 0 0	12 0
Maitland	15 15 0	—	10 0	3 2 6	8 10 0	—	31 10 0	12 15 0	4 0 0	1 1 0	—
Monaro	15 15 0	—	—	3 2 6	1 0 0	—	63 0 0	24 5 0	4 0 3	15 15 0	11 3 0
Mudgee	15 15 0	3 18 6	—	3 15 0	15 0 0	—	88 4 0	34 0 0	26 5 6	28 10 6	1 5 6
Murray, The	15 15 0	2 10 0	—	—	—	21 16 0	121 16 0	45 0 0	21 2 6	41 11 6	6 17 6
Murrumbidgee, The	15 15 0	6 5 0	—	3 15 0	13 0 0	23 12 6	71 — 0	27 15 0	14 10 0	25 2 0	7 9 0
Namoi, The	15 15 0	—	—	3 2 6	16 0 6	—	115 10 0	39 10 0	87 3 0	56 17 6	17 4 5
Newcastle	15 15 0	—	1 0 0	3 15 0	2 0 0	—	31 10 0	12 5 0	—	—	—
Northumberland	15 15 0	—	5 10 0	3 15 0	7 0 0	—	79 16 0	29 15 0	6 6 0	7 6	13 5 0
Orange	15 15 0	2 15 0	18 6	3 15 0	8 0 0	9 10 0	52 10 0	21 10 0	17 18 6	22 0 0	1 5 0
Queanbeyan	15 15 0	—	1 17 6	3 15 0	9 0 0	—	102 18 0	41 15 0	25 11 0	23 12 6	20 3 6
Raleigh	15 15 0	8 0	—	1 17 6	7 10 0	1 14 0	81 18 0	33 0 0	10 0	10 0	7 6 0
Richmond, The	15 15 0	—	—	1 5 0	2 0 0	—	60 18 0	18 5 0	—	—	—
Rous	15 15 0	1 5 0	4 1 6	3 2 6	8 0 0	2 2 0	86 2 0	22 0 0	—	16 15 0	15 0
Sherbrooke	15 15 0	4 0 0	20 0 0	3 15 0	3 10 0	—	73 10 0	30 5 0	—	4 0 0	3 0 0
Singleton	15 15 0	1 10 0	1 5 0	3 15 0	7 10 0	—	75 12 0	29 5 0	20 17 0	17 1 0	—
Sturt	15 15 0	2 10 0	6 11 3	3 15 0	9 5 0	—	54 12 0	21 15 0	9 12 1	—	—
Tamworth	15 15 0	—	20 10 0	3 2 6	10 0 0	2 0 0	69 6 0	30 0 0	8 10 0	16 17 6	4 10 0
Tenterfield	15 15 0	—	10 0	2 10 0	—	9 0 0	117 12	31 0 0	4 2 6	16 19 6	18 11 0
Upper Hunter, The	15 15 0	4 0 0	6 7 3	3 2 6	12 10 0	—	79 6 0	29 5 0	46 12 6	38 15 0	10 0
Waratah	15 15 0	—	5 0 0	3 2 6	4 12 6	—	37 16 0	16 10 0	5 0	—	10 0
Wickham	15 15 0	—	—	3 2 0	6 15 0	—	33 12 0	15 5 0	—	—	10 0
Woltondilly	15 15 0	2 0 0	—	3 15 0	6 10 0	4 0 0	79 16 0	29 15 0	18 10 3	18 15 0	5 6 0
Wollongong	15 10 6	3 3 0	—	3 15 0	3 0 0	10 0	44 2 0	17 5 0	4 10 0	—	2 6
Wynyard	15 15 0	—	3 3 0	4 12 6	—	—	58 16 0	25 15 0	29 6 0	—	1 0 0
Yass	15 15 0	—	—	3 15 0	6 10 0	—	90 6	31 15 0	8 7 0	30 13 0	11 4 0
Total	881 15 6	70 9 6	162 5 10	180 14 6	357 1 6	198 0 0	4,082 8 0	1,540 10 0	811 7 3	1,043 15 6	298 7 8
TOTALS.											
City Electorates	51 9 0	16 9 0	36 11 10	26 5 0	48 0 0	24 2 0	298 4 0	167 15 0	—	—	—
Suburban Electorates	199 10 0	19 6 0	104 14 10	91 2 6	163 0 0	16 7 0	1,033 4 0	548 0 0	32 14 9	7 11 6	2 9 0
Country Electorates	881 15 6	70 9 6	162 5 10	180 14 6	357 1 6	198 0 0	4,082 8 0	1,540 10 0	811 7 3	1,043 15 6	298 7 8
STATE	1,132 14 6	106 4 6	303 12 6	298 2 0	568 1 6	2°8 9 0	5,413 16 0	2,256 5 0	844 2 0	1,051 7 0	300 16 8

TAKING THE POLL, GENERAL ELECTION, 1904.

Refreshments.	Ballot Boxes. Repairs, Carriage, &c.	Booths. Rent, Fittings, &c.	Booths. Erection.	Stationery.	Advertising.	Printing.	Stamps, Telegrams, &c. Returning Officer.	Stamps, Telegrams, &c. Deputy Returning Officer.	Sundries.	Total.	Electorate.
											CITY.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
5 11 0	—	37 0 0	74 10 0	8 11 0	8 15 3	1 2 6	—	—	—	238 14 9	Belmore.
10 2 0	13 6	32 13 0	82 2 0	4 0 0	10 15 3	2 2 0	13 6	—	5 17 6	244 14 9	Darling Harbour.
7 10 0	15 0	37 10 0	130 0 0	4 12 4	10 11 6	—	—	—	5 17 6	311 7 4	Darlinghurst.
11 5 0	1 2 6	29 17 6	68 0 0	4 1 0	11 16 0	15 0	—	—	7 2 6	239 4 6	King.
3 15 0	15 6	4 11 9	175 0 0	1 1 9	6 15 4	2 16 6	—	—	2 10 6	259 2 10	Phillip.
6 0 0	15 0	10 17 0	43 0 0	2 10 0	11 10 0	—	—	—	4 12 6	153 16 0	Pyrmont.
10 0 0	15 0	5 0 0	192 0 0	5 12 3	12 12 9	—	—	—	2 17 6	342 8 4	Surry Hills.
54 3 0	4 16 6	157 9 3	764 12 0	30 8 4	72 16 1	6 16 0	13 6	—	28 18 0	1,789 8 6	Total.
											SUBURBAN.
6 17 6	1 5 0	18 6 0	138 0 0	2 16 4	2 6 4	—	5 6	—	4 12 0	267 9 8	Alexandria.
8 14 9	1 3 6	18 7 6	34 5 0	2 17 7	11 0 9	—	2 6	—	10 10 0	194 0 7	Annandale.
3 12 6	9 9	16 7 0	—	1 6 2	3 3 9	—	1 6	—	2 0	68 9 8	Ashfield.
9 7 6	1 12 6	16 14 11	94 15 0	5 0 0	6 0 3	4 17 6	6 4	—	2 5 0	250 0 0	Balmain.
5 5 0	12 6	11 5 9	14 0 0	19 10	9 15 6	—	2 6	9	7 6	114 13 1	Botany.
5 10 0	—	14 12 0	78 0 0	7 6 6	7 1 6	5 0	—	—	—	196 14 9	Burwood.
6 0 0	1 1 0	7 17 10	68 0 0	4 0 0	9 19 3	1 10 0	—	5 6	—	167 10 1	Camperdown.
5 0 0	—	15 9 1	8 5 9	2 13 4	8 0 6	—	7 3	5 2	—	104 8 3	Canterbury.
6 2 6	—	21 15 0	65 0 0	3 3 6	6 8 6	—	—	—	4 0 0	198 19 0	Glebe, The.
14 17 6	1 10 0	18 7 0	63 0 0	9 6 6	16 18 2	1 10 0	4 10 6	—	8 17 6	258 8 8	Gordon.
8 12 6	—	22 1 0	30 0 9	5 0 0	13 9 6	—	—	—	6 15 0	190 17 0	Granville.
7 12 6	5 10 0	10 9 6	142 5 6	5 0 0	14 0 0	3 13 6	2 2 9	—	8 3 6	303 0 0	Lane Cove.
8 10 6	1 7 6	30 8 6	43 10 0	4 13 0	8 8 3	1 10 6	—	—	3 5 0	185 17 3	Leichhardt.
6 2 6	1 0 0	9 17 0	25 0 0	3 9 7	10 14 6	—	7 6	—	—	129 10 7	Marrickville.
4 12 6	—	15 15 3	42 10 0	3 5 0	9 3 9	—	—	—	1 10 0	139 10 6	Middle Harbour.
4 17 6	2 0	11 7 0	20 0 0	1 18 3	8 6 6	—	—	—	—	123 15 3	Newtown.
8 10 0	—	20 14 0	58 15 0	2 9 7	9 0 0	1 2 6	1 7 11	—	4 17 6	215 0 0	Paddington.
8 10 0	—	13 19 4	19 5 6	5 19 9	7 12 6	—	3 11	4 6	6 13 6	160 7 6	Parramatta.
4 2 6	—	19 18 6	39 17 6	2 8 4	12 11 0	—	—	—	2 17 6	140 9 4	Petersham.
8 10 0	—	17 6 6	93 0 0	8 3 9	9 8 0	3 0 0	1 8 6	—	—	237 16 3	Randwick.
5 2 6	12 0	23 0 0	—	2 1 7	5 14 6	10 0	—	—	—	97 16 1	Redfern.
6 7 6	1 10 6	12 9 7	49 6 0	4 16 3	5 8 3	1 6 0	—	—	2 17 6	185 12 7	Rozelle.
7 0 0	5 0	15 14 5	—	1 10 3	9 8 4	1 7 6	6 0	—	—	118 19 6	St. George.
6 17 6	1 2 6	7 17 0	75 0 0	3 15 10	12 0 3	13 0	—	—	1 0 0	190 18 3	St. Leonards.
5 5 0	—	15 4 0	50 0 0	4 10 0	10 8 0	—	—	—	—	165 0 6	Waverley.
7 2 6	—	9 6 0	39 4 0	3 2 3	9 8 0	1 16 0	—	—	2 4 6	160 7 9	Woollahra.
179 2 9	19 3 9	414 9 8	1,290 19 3	101 13 2	235 15 10	23 1 6	11 12 8	15 11	70 18 0	4,565 12 1	Total.
											COUNTRY.
10 1 4	3 7 3	7 16 0	—	6 7 8	5 0 10	—	1 16 0	19 1	5 0	187 16 11	Albury.
7 17 0	6 19 6	9 14 6	—	2 17 10	5 5 9	—	2 14 4	1 2 11	1 11 0	172 19 4	Allowrie.
3 5 0	7 0	20 11 6	—	6 9 4	4 2 6	—	13 11	14 0	—	209 8 3	Armidale.
7 2 6	—	14 1 9	—	4 15 6	5 9 9	—	—	4 3	—	198 12 3	Ashburnham.
2 12 6	4 3 0	9 10 0	—	5 2 7	4 11 6	—	—	—	—	157 3 7	Bathurst.
8 17 6	8 18 6	7 15 0	—	9 14 0	7 12 7	1 10 0	—	3 3 0	—	204 12 1	Bega.
12 7 6	7 9 3	40 17 6	—	5 1 5	6 5 6	—	15 0	1 7 3	7 6	339 2 2	Belubula
9 0	12 6	—	—	10 4	1 13 3	—	—	—	—	15 12 7	Bingara (uncontested).
10 8 0	5 16 2	22 4 4	—	12 13 11	5 2 3	2 8 0	4 3	6 19 11	—	284 6 8	Blayney.
—	2 4 0	—	—	8 3	1 5 6	—	—	—	—	14 5 3	Broken Hill (uncontested).
7 2 6	4 1 0	6 2 3	—	4 11 2	4 8 3	—	—	5 10	—	146 16 6	Burrangong.
9 19 9	5 6 8	25 0 0	—	9 16 8	16 5 4	—	—	1 1 11	—	244 14 0	Camden.
2 8 0	11 3 11	19 15 0	—	6 13 1	3 0 0	—	3 16 1	1 0	—	291 7 7	Castlereagh, The.
9 0 6	3 13 6	8 12 6	—	8 3 0	3 7 0	—	1 14 8	2 5 7	—	167 0 9	Clarence, The.
3 18 6	5 0 6	6 16 6	—	4 16 2	5 0 11	2 0 0	8 8 1	2 13 5	—	165 12 7	Clyde, The.
4 12 6	4 11 9	12 10 3	—	13 0 0	3 17 3	4 3 9	19 17 10	8 0 4	8 8 0	313 3 5	Cobar.
4 10 0	1 7 9	10 2 0	—	5 15 4	7 19 6	9 0	—	2 15 11	—	141 14 6	Cootamundra.
8 10 0	5 16 6	2 16 7	—	4 2 4	5 3 10	—	3 9 1	1 19 6	—	195 17 10	Corowa.
9 1 6	24 17 3	12 5 0	—	4 5 5	4 4 6	6 10 6	8 10 3	11 3 2	—	389 5 1	Darling, The.
8 7 6	3 16 3	12 2 0	—	3 8 0	6 15 3	3 2 6	—	6 16 6	—	200 12 0	Deniliquin.
8 7 6	2 14 3	2 10 0	—	3 2 11	4 3 6	—	1 3 6	—	—	171 13 2	Durham.
10 17 6	2 0	9 2 6	5 0	2 15 7	5 14 0	1 7 0	—	3 13 0	—	216 2 7	Gloucester.
7 10 0	—	2 0 0	3 15 0	5 12 0	4 14 9	—	4 1 4	1 10 9	—	190 15 6	Gough.
9 7 6	4 1 5	20 4 6	—	4 0 10	2 11 3	13 0	2 0 9	5 3	—	164 11 0	Goulburn.
1 12 6	4 1 6	15 15 0	3 0 0	5 7 0	4 8 0	5 0	—	2 8 11	—	453 6 2	Gwydir, The.
8 7 6	1 17 1	13 3 0	—	7 4 0	3 9 1	—	—	1 5 10	5 3	169 19 3	Hartley.
2 7 6	2 16 0	10 6 6	—	2 17 6	2 4 0	4 7 0	16 1	1 0 10	—	145 12 11	Hastings and Macleay
12 12 6	15 7 6	31 8 6	—	6 13 9	9 6 3	18 0	—	1 19 2	2 15 0	273 16 5	Hawkesbury, The.
4 15 0	15 0	7 1 0	—	3 5 0	2 8 0	—	1 0 0	—	—	99 15 0	Kahibah.
12 11 0	1 10 11	26 15 0	—	1 15 9	1 17 6	1 14 0	5 19 4	2 14 8	19 6	389 8 8	Lachlan, The.
9 12 6	5 10 5	8 17 0	1 0 0	3 11 4	4 19 6	18 6	3 19 3	4 6 9	—	213 6 1	Liverpool Plains.
14 12 6	15 0 8	11 1 0	8 0 0	8 1 9	10 18 4	—	1 3 4	10	—	299 17 11	Macquarie, The.
4 2 6	—	11 4 2	—	3 10 0	1 15 6	—	—	—	—	97 15 8	Maitland.
7 12 6	13 6	17 0 0	—	1 10 2	5 0 0	—	—	2 4 8	—	172 6 7	Monaro.
6 11 6	1 9 0	8 18 3	—	6 5 5	6 15 6	1 15 0	2 3	13 6	5 0	248 9 5	Mudgee.
7 5 0	17 1 10	21 13 7	—	11 10	7 3 3	3 11 6	5 0 0	6 17 2	—	345 12 8	Murray, The.
8 5 0	11 7 3	21 9 3	—	8 13 3	6 9 6	10 5 6	5 9	15 3	—	276 2 3	Murrumbidgee, The.
11 19 0	27 15 7	28 16 0	11 9 3	14 0 7	13 6 7	5 10 0	7 1 4	9 18 7	15 7 3	496 7 6	Namoi, The.
4 0 0	—	8 15 0	18 15 0	2 13 0	2 7 3	—	10 0	—	—	103 5 3	Newcastle.
9 15 0	11 6	13 15 0	—	10 15 0	4 16 7	—	17 6	1 9 3	—	203 9 4	Northumberland.
8 1 6	7 3 6	15 18 6	—	6 12 4	4 16 6	1 2 0	2 10 0	8 10	—	202 10 2	Orange.
13 12 6	6 5 6	18 15 2	—	7 1 7	13 18 6	5 11 6	1 15 3	4 12 9	—	316 0 3	Queanbeyan.
10 2 6	4 1 0	4 2 6	—	8 2 2	6 13 3	5 17 0	—	4 18 1	11 0	194 16 0	Raleigh.
7 10 0	1 19 6	2 14 6	—	2 2 1	2 3 3	1 5 0	—	1 7 1	—	117 4 5	Richmond, The.
4 12 6	4 3 9	9 10 0	—	4 2 9	5 4 3	5 0	14 0	15 8	2 0 0	191 5 11	Rous.
10 5 0	18 0 0	5 6 6	—	7 7 9	9 15 8	—	—	—	—	208 9 11	Sherbrooke.
—	3 3 9	23 15 6	—	2 0 0	3 10 9	—	—	—	—	205 0 0	Singleton.
6 17 6	7 1 6	55 6 6	10 10 0	7 9 3	3 11 6	2 16 0	10 9	5 9	9 2	218 13 3	Sturt.
11 0 0	2 15 9	13 1 6	—	4 9 0	8 8 0	—	—	2 4 6	—	222 9 9	Tamworth.
13 17 6	4 0 0	12 2 0	4 0 0	5 4 8	7 2 6	6 19 0	—	6 4 9	—	275 10 5	Tenterfield.
2 17 0	4 2 0	25 15 0	—	6 12 2	5 7 6	—	12 3	2 14 8	—	284 13 10	Upper Hunter, The.
5 5 0	5 10 0	10 3 5	—	4 3 10	2 11 0	—	10 0	—	—	111 14 3	Waratah.
4 15 0	1 0 0	20 9 6	—	3 19 0	2 19 3	—	8 0	—	—	108 9 9	Wickham.
10 0 0	3 18 6	23 1 6	—	3 13 10	6 18 3	1 8 6	19 0	3 15 4	1 2 6	238 19 8	Wollondilly.
5 18 6	5 0 0	9 2 6	1 0 0	1 19 3	4 11 9	—	10 0	—	—	120 0 0	Wollongong.
4 5 0	2 8 0	25 18 11	—	4 10 1	3 9 6	1 16 6	—	1 14 8	—	182 10 2	Wynyard.
7 2 6	8 11 1	12 4 0	—	3 19 4	5 14 3	—	2 7 10	3 16 1	—	242 0 1	Yass.
418 16 7	311 11 6	825 15 5	61 14 8	304 7 9	307 15 3	78 8 9	96 17 0	125 16 2	34 6 2	12,192 4 6	Total.
											TOTALS.
54 3 0	4 16 6	157 9 3	764 12 0	30 8 4	72 16 1	6 16 0	13 6	—	28 18 0	1,789 8 6	City Electorates.
179 2 9	19 3 9	414 9 8	1,290 19 3	101 13 2	235 15 10	23 1 6	11 12 8	15 11	70 18 0	4,565 12 1	Suburban Electorates.
418 16 7	311 11 6	825 15 5	61 14 8	304 7 9	307 15 3	78 8 9	96 17 0	125 16 2	34 6 2	12,192 4 6	Country Electorates.
652 2 4	335 11 9	1,397 14 4	2,117 5 11	436 9 3	616 7 2	108 6 3	109 3 2	126 12 1	134 2 2	18,547 5 1	STATE.

Analysis of "Returning Officers' Expenses" and "Sundries."

Electorate.	Returning Officers' Expenses.						Sundries.									
	Messenger, Door-keeper, &c.	Travelling to Polling Places.	Hire of Vehicles.	Horse Feed.	No Particulars.	Total.	Calico Signs.	Posters.	Sign-boards.	Alphabets.	Calico Bags.	Painting Names on Ballot Boxes.	Canvas Bags and Painting thereon.	Rubber Stamps.	No Particulars.	Total.
City.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Belmore	3 3 0	—	5 0 0	—	—	8 3 0	—	—	—	—	—	—	—	—	—	—
Darling Harbour	2 0 0	—	3 10 0	—	—	5 10 0	4 12 6	—	—	—	—	—	—	—	1 5 0	5 17 6
Darlinghurst	2 10 0	—	6 0 0	—	—	8 10 0	5 0 0	—	0 10 0	0 7 6	—	—	—	—	—	5 17 6
King	—	—	2 12 0	—	—	2 12 0	7 2 6	—	—	—	—	—	—	—	—	7 2 6
Phillip	—	—	—	—	—	—	2 0 0	0 10 6	—	—	—	—	—	—	—	2 10 6
Pyrmont	—	—	2 10 0	—	—	2 10 0	3 12 6	—	—	—	—	—	—	—	1 0 0	4 12 6
Surry Hills	2 14 0	—	—	—	6 12 10	9 6 10	2 17 6	—	—	—	—	—	—	—	—	2 17 6
Total	10 7 0	—	19 12 0	—	6 12 10	36 11 10	25 5 0	0 10 6	0 10 0	0 7 6	—	—	—	—	2 5 0	21 18 0
Suburban.																
Alexandria	—	—	2 5 0	—	—	2 5 0	—	1 2 0	1 10 0	—	—	—	—	—	—	4 12 0
Annandale	—	—	1 9 0	—	—	1 9 0	10 10 0	—	—	—	—	—	—	—	—	10 10 0
Ashfield	—	—	0 2 0	—	—	0 2 0	—	—	0 2 0	—	—	—	—	—	—	0 2 0
Balmain	1 8 0	—	4 0 0	—	—	5 8 0	—	2 5 0	—	—	—	—	—	—	—	2 5 0
Botany	—	—	1 6 3	—	—	1 6 3	—	0 7 6	—	—	—	—	—	—	—	0 7 6
Burwood	1 2 6	—	4 17 6	—	—	6 0 0	—	—	—	—	—	—	—	—	—	—
Camperdown	—	—	1 10 0	—	—	1 10 0	—	—	—	—	—	—	—	—	—	—
Canterbury	—	—	1 6 8	—	—	1 6 8	—	—	—	—	—	—	—	—	—	—
Glebe, The	—	—	1 5 0	—	—	1 5 0	—	—	—	—	—	—	—	—	—	—
Gordon	—	—	7 10 0	—	2 2 6	9 12 6	4 0 0	—	—	—	—	—	—	—	—	4 0 0
Granville	—	4 15 0	5 10 0	—	—	10 5 0	—	8 2 6	—	0 15 0	—	—	—	—	—	8 17 6
Lane Cove	1 0 0	2 1 9	—	—	—	3 1 9	6 15 0	—	—	—	—	—	—	—	—	6 15 0
Leichhardt	—	—	1 15 0	—	—	1 15 0	0 11 0	5 10 0	—	0 10 0	—	—	—	1 12 6	—	8 3 6
Marrickville	—	—	3 8 0	—	—	3 8 0	3 5 0	—	—	—	—	—	—	—	—	3 5 0
Middle Harbour	—	—	4 18 0	—	—	4 18 0	—	—	—	—	—	—	—	—	—	—
Newtown	—	—	1 14 0	—	—	1 14 0	1 10 0	—	—	—	—	—	—	—	—	1 10 0
Paddington	0 5 8	—	8 0 0	—	—	13 8 0	—	—	—	—	—	—	—	—	—	—
Parramatta	—	—	—	—	—	—	4 17 6	—	—	—	—	—	—	—	—	4 17 6
Petersham	—	—	1 10 0	—	—	1 10 0	6 13 6	—	—	—	—	—	—	—	—	6 13 6
Randwick	—	1 3 0	14 8 6	—	—	15 11 6	2 17 6	—	—	—	—	—	—	—	—	2 17 6
Redfern	—	—	0 11 6	—	—	0 11 6	—	—	—	—	—	—	—	—	—	—
Rozelle	—	—	3 17 0	—	—	3 17 0	—	—	—	—	—	—	—	—	—	—
St. George	0 15 0	2 0 0	—	—	—	2 15 0	2 8 6	0 9 0	—	—	—	—	—	—	—	2 17 6
St. Leonards	—	—	0 12 2	—	—	0 12 2	—	—	—	—	—	—	—	—	—	—
Waverley	—	—	8 1 6	—	—	8 1 6	1 0 0	—	—	—	—	—	—	—	—	1 0 0
Woollahra	—	—	3 2 0	—	—	3 2 0	—	—	—	—	—	—	—	—	—	—
Total	9 13 6	3 19 9	82 19 1	—	2 2 6	104 14 10	2 4 6	—	—	—	—	—	—	—	—	2 4 6
							46 12 6	19 16 0	1 12 0	1 5 0	—	—	—	1 12 6	—	70 18 0
Country.																
Albury	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Allowrie	—	4 10 0	—	—	—	4 10 0	1 11 0	—	—	—	—	—	—	—	0 5 0	0 5 0
Armidale	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	1 11 0
Ashburnham	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bathurst	—	—	3 6 0	—	—	3 6 0	—	—	—	—	—	—	—	—	—	—
Bega	—	2 16 0	—	—	—	2 16 0	—	—	—	—	—	—	—	—	—	—
Belubula	—	—	—	—	1 10 0	1 10 0	—	—	0 7 6	—	—	—	—	—	—	0 7 6
Bingara (uncontested)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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No. 9.

SOUTH AUSTRALIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received July 24, 1906.)

MY LORD, Government House, Adelaide, June 21, 1906.

WITH reference to your despatch of 31st March, 1906, on the subject of the machinery and cost of elections in this Colony, I have the honour to transmit, for Your Lordship's information, a copy of a Minute and Report from the Returning Officer of this State, giving detailed particulars on the subject.

I have, &c.,
GEORGE R. LE HUNTE.

Enclosure in No. 9.

SOUTH AUSTRALIA.

MINUTES forming enclosure to G.H. No. 47, 1906

To the Returning Officer for the State, who is requested to furnish the additional information required. Returning Officer to see me for further information.

A. H. P.,
Attorney-General.

May 21, 1906.

Returned to the Honourable the Attorney-General, with detailed information arranged in tabular form showing the cost respectively of elections in four districts, at the last General Elections. The details given will enable comparison to be made with the cost of elections in other parts of the British dominions, if so desired. Some explanatory remarks, however, appear to be necessary in regard to the cost of these four elections. It will be seen that the total cost of the election for Adelaide district, where there were 27,179 electors on the roll, was £145 2s. 11d., whilst with only a little over 10,000 more names on the electoral roll in Torrens district, the cost was £258 12s. 5d. The explanation is that Adelaide district comprises only a comparatively small area, and includes only six polling places. These circumstances enable the counting to be completed on the day of taking the poll, whilst in Torrens district the counting extends over several days, owing to the fact that the area of the district is considerable, and that it includes four times the number of polling places included in Adelaide district.

The difference in the expense of the elections in Barossa and Stanley is, it will be seen, only very small. This is largely due to the fact that both are country districts in which the electors are spread over large areas.

G. H. AYLIFFE,
Returning Officer for the State.

June 15, 1906.

REPORT on the subject of the Machinery and Cost of Elections in the State of South Australia.

The State is divided into four electorates for the Legislative Council, and thirteen for the House of Assembly. The Legislative Council is composed of eighteen members and the House of Assembly of forty-two members.

The administration of the Electoral Acts is vested in the following officers, appointed by the Governor:—

1. The Returning Officer for the State responsible under the Attorney-General for the execution of the Acts.
2. District Returning Officers, each possessed of the power and charged with the duty to give effect to the Acts within his district, subject to any directions from the Returning Officer for the State.

Electoral Registrars (usually postmasters) are also appointed to keep the rolls at specified places. These officers are directly responsible to the District Returning Officers.

All Writs for elections are issued by the Governor, except that if on any casual vacancy there shall be a President or Speaker of the House affected within the State, he must issue the Writ, after two clear days' written notice to the Governor of his intention.

All Writs fix the dates for the nomination, the polling, and the return of the Writ.

Writs are addressed to the respective District Returning Officers. On receipt of a Writ the officer to whom it is addressed advertises its receipt and particulars in two newspapers circulating in the district. If the election be contested it is his duty to make all arrangements for the due execution of the Writ. In particular he must appoint a Presiding Officer to preside at each polling place at which he will not be continuously present; appoint all necessary poll-clerks and doorkeepers; provide and furnish proper polling-booths and ballot-boxes; provide and issue lists of voters and voting papers.

State Schools, and other buildings under the control of the Government, and buildings the property of Corporations and District Councils which have been subsidised in their erection by the Government are by law made available free of charge, for the purposes of any poll. So far as it is practicable Government Officers —on account of their general efficiency—are selected to fill the positions of presiding officers and poll clerks, and are allowed the usual fees for such services.

The cost of the General Elections held in May of last year for the four Legislative Council Districts and the thirteen House of Assembly Districts was £3,482 10s. 10d., the whole of which was paid by the State Government. This is exclusive of candidates' expenses, which they themselves have to defray.

G. H. Ayliffe,
Returning Officer for the State.

May 17, 1906.

Return showing in detail the Cost of House of Assembly Elections in the Undermentioned Districts at the General Elections in May, 1905.

Name of Electoral District.	Number of Polling Places in District.	Number of Electors on Roll.	Fees to Returning Officers and their subsutitutes.	Fees to Poll and Scrutiny Clerks and Doorkeepers.	Allowance to Returning Officers for Printing and Stationery, exclusive of Ballot Papers.	Cost of Printing Ballot Papers.	Cost of Conveyance of Ballot Boxes.	Total cost of Elections exclusive of Candidates Expenses.	Number of Candidates.	Candidates Expenses—Total Cost of.
			£ s. d.	£ s. d.	£	£ s. d.	£ s. d.	£ s. d.		£ s. d.
No. 1, Adelaide District.	6	27,179	28 7 0	85 11 6	20	10 4 5	1 0 0	145 2 11	11	1,072 10 6
No. 3, Torrens District.	24	37,343	66 3 0	142 5 6	20	18 8 11	11 15 0	258 12 5	10	1,037 11 4½
No. 7, Barossa District.	25	10,017	68 5 0	39 7 6	20	3 7 6	19 2 5	150 2 5	6	239 1 7
No. 10, Stanley District.	23	12,531	67 4 0	64 11 6	20	4 18 9	15 16 5	172 10 8	6	405 4 4

No. 10.

QUEENSLAND.

The GOVERNOR to the SECRETARY OF STATE.

(Received September 4, 1906.)

My Lord, Government House, Brisbane, Queensland, July 23, 1906.

Adverting to your despatch dated 31st March last, asking to be furnished with particulars respecting the machinery and cost of elections in this State, I have the honour to forward herewith a copy of a Memorandum which has been received

from the Principal Electoral Registrar on the subject, together with copies of the Statutes referred to therein.

I have, &c.,
CHELMSFORD,
Governor.

Enclosure in No. 10.

INFORMATION RELATING TO PARLIAMENTARY ELECTIONS.

STATE OF QUEENSLAND.

The Legislative Council is not elective.

The Legislative Assembly is elective.

The most recent Act relating to elections is "The Elections Acts Amendment Act of 1905" (copy appended).

The whole of the Acts (including the above-mentioned) governing elections are consolidated under the name of "The Elections Acts, 1885 to 1905" (copy appended).

The Minister administering the Acts is the Home Secretary.

The Officer responsible for the execution of the Acts is the Principal Electoral Registrar.

The State is divided into 61 Electoral Districts 50 of which return one member each, and 11 return two members each, the number of members constituting the Assembly being 72.

A separate Electoral Roll is prepared for each Electoral District, upon which every adult (male or female) residing in the district is entitled to be enrolled, if not otherwise disqualified.

Freeholders or leaseholders may have their names transferred to the roll for the district in which the freehold or leasehold is situated, but thereby lose their vote for the district in which they reside.

Rolls are revised and printed annually, additional rolls are printed bi-monthly (specimens appended).

There is a Returning Officer for each district to whom writs for elections are addressed, with whom nominations are lodged, and by whom all matters relating to an election for the district for which he is Returning Officer are arranged. He appoints presiding officers, poll clerks, &c. He provides the polling booths; finally counts all votes, declares the state of the poll, and endorses upon the writ the name of the person elected, which he then returns to the Governor or Speaker (as the case may be).

Polling places are appointed at convenient places for voters; voting can also be effected by postal ballot under certain conditions.

The number of electors on the rolls at the last General Election in 1904 was 98,000.

The number of electors on the rolls at the next General Election will, owing to recent alterations in the franchise and the inclusion of females, probably be about 210,000.

The cost of the last General Election was £5,500.

The costs of elections are borne by the consolidated revenue of the State.

ROBT. H. LAWSON,
Principal Electoral Registrar.

QUEENSLAND.

THE ELECTIONS ACTS, 1885 TO 1905.

49 Vic. No. 13.
50 Vic. No. 3.
56 Vic. No. 7.
61 Vic. No. 26.
62 Vic. No. 14.
5 Edw. VII. No. 1.

AN ACT to Consolidate and Amend the Laws relating to Parliamentary Elections and to make better Provision for Preventing Corrupt Practices at such Elections.

* * * * * * * *

PART IV.—RETURNING AND PRESIDING OFFICERS.—NOMINATION, POLLING, AND CONDUCT OF ELECTIONS GENERALLY.

Returning Officers.

Returning officers for electoral district.

44. The Governor in Council may appoint, by commission under his hand and seal, a fit person to be returning officer for each electoral district.*

Every such appointment shall be notified in the "*Gazette*."

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* Words requiring returning officer to be an elector repealed, 5 Edw. VII. No. 1, s. 7.

In case of sickness or other cause preventing any returning officer from acting at any election, the Governor in Council may appoint some person* to act as deputy returning officer in his stead.

Returning officers and other officer to make declaration.

45. Every person appointed a returning officer, presiding officer, or poll clerk under this Act, shall, before he enters on the duties of such office, make and subscribe a solemn declaration before some justice in the following form:—

I, A.B., do hereby declare that I accept the office of Returning Officer [*or* Presiding Officer at , *or* Poll Clerk, *as the case may be*] for the Electoral District of , and I do hereby promise and declare that I will faithfully perform the duties of my office to the best of my understanding and ability, and that I will not attempt to improperly ascertain or discover, or by any word or action directly or indirectly aid in discovering, the person for whom any vote is given. And that I will keep secret all knowledge of the person for whom any elector has voted which I may obtain in the exercise of my office, unless in answer to any question which I am legally bound to answer.

Declared before me this day of 18 , } A.B.,

C.D.,
J.P.

And such justice shall transmit the declaration so made by the first convenient opportunity to the †Home Secretary.

Polling-places.

46. The Governor in Council may from time to time appoint places for taking the poll for any electoral district, and every place so appointed shall be notified in the "*Gazette.*"

Provided that no such appointment shall be valid unless such notification is so published three clear days before the day of nomination for the election.

Writs.

Writs directed to returning officers.

47. Writs for the election of members to serve in the Assembly shall be directed to the returning officer of the respective electoral districts, and in every such writ shall be named the day and place of nomination for the election, the day for taking the poll at the several polling places in the event of the election being contested, and the day on which the writ is returnable to the Governor or Speaker as the case may be.

‡And, subject to this Act, the writ shall be returned not later than the day named therein, notwithstanding the fact that any votes of persons to whom postal ballot certificates have been issued, as hereinafter prescribed, have not then been received, examined, and counted by the returning officer.

Writs shall be in the following form or to the like effect:—

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c.

To the Returning Officer of the Electoral District of

Greeting:

We command you that you proceed according to law to the election of Member to serve in the Legislative Assembly of Queensland for the said district. And we do hereby appoint the day of in the year of our Lord to be the day and to be the place of nomination of candidates at the said election. And we do further command you that in the event of the said election being contested the poll shall be taken on the day of at the several polling places duly appointed for the said Electoral District. And that you do endorse hereon the name of the person elected and the date of election, and do return this our writ so endorsed to the Governor of our colony of Queensland [*or* the Speaker of the said Legislative Assembly] at Brisbane not later than the day of .

Witness His Excellency , the Governor and Commander-in-Chief of our said Colony [*or* The Honourable Speaker of the Legislative Assembly of Our said Colony, *as the case may be*], at , the day of 188 , in the year of our reign.

[L.S.]

Governor [*or* Speaker].

Nomination and polling days to be publicly notified.

48. The returning officer shall endorse upon the writ so directed to him the day on which he receives it, and shall forthwith give public notice of the day and place of nomination, and of the day of polling mentioned in the writ, and of the several polling places, and of a convenient house or place within the Electoral District, to be named by the returning officer, as the place of nomination at which he will be present between the hours of §noon and four o'clock after noon on the day preceding the day of nomination for the purpose of receiving the nomination papers of candidates, and shall also as soon as possible give public notice of any polling place appointed after the issue of the writ.

Provided that a nomination paper may be received by the returning officer at any time or place before the said hour of noon.‖

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* Words requiring returning officer to be an elector repealed, 5 Edw. VII. No. 1, s. 7.
† "Home" substituted for "Colonial" by 60 Vict. No. 3, s. 9.
‡ Paragraph inserted, 5 Edw. VII. No. 1, s. 11 (1).
§ Words "four and six o'clock" repealed, and "noon and four o'clock" substituted therefor, 61 Vic. No. 26.
‖ Words "four o'clock" repealed, and "noon" substituted therefor, 61 Vic No. 26, s. 14.

Nomination.

How person may become candidate.

49. In order that any person may be or become a candidate at an election, he shall be nominated by not less than six persons entitled to vote at such an election, in manner following, that is to say,—Before four* o'clock after noon of the day preceding the day of nomination named in the writ, there shall be delivered to the returning officer, who shall if required give a receipt for the same, a nomination paper naming such person as a candidate at such election and signed by the persons nominating him in the following form:—

Form of nomination.

We, the undersigned electors of the Electoral District of do hereby nominate [*state christian name and surname*], *of* [*state residence and occupation*], for the office of member of the Legislative Assembly for the said district.†

Dated this day of 18 .

[*Here are to follow the signatures.*]

And such person or some person on his behalf shall, at the time of the delivery of such nomination paper, pay to the returning officer in sterling money or bank notes the sum of twenty pounds to be dealt with as hereinafter provided, and no person who is not so nominated, or by or for whom or on whose behalf such payment is not made, shall be, or be deemed to be, a candidate at the election.

Nomination not to be avoided for mere informality.

‡Provided that no nomination paper shall be rejected for any mere formal defect or error therein, if the returning officer is satisfied that the provisions of this Act have been substantially complied with.

Certificate of Returning Officer.

§49A. If the Returning Officer is satisfied that the provisions of this Act with respect to a nomination paper have been substantially complied with, he shall make and sign at the foot of the nomination paper a certificate in the following form or to the like effect:—

I, the undersigned Returning Officer for the above-named Electoral District, do hereby certify that I received this nomination paper at [*name of place where received*], this day of , 18 , and that the provisions of "The Elections Acts, 1885 to 1897," with respect to it have been complied with.

A.B.,
Returning Officer.

But no such certificate shall be construed to qualify any person to be a candidate or to sign the nomination paper who is not qualified to be a candidate or to sign the same, or to validate any signature thereto which is false or forged.

Copy of nomination-paper to be posted.

50. Immediately on the receipt of a nomination paper it shall be the duty of the returning officer to post a copy thereof outside the nearest police office, or, if there is no police office at the place of nomination, then in some conspicuous place there.

Uncertified insolvent incapable of being nominated or elected.

51. Any person who has been adjudged insolvent, or has had his affairs liquidated by arrangement under any Act passed or to be passed relating to insolvency, shall be incapable of being nominated or elected unless the adjudication or liquidation has been annulled or he has obtained his certificate of discharge as an insolvent, or the creditors who have proved their debts under the insolvency or in the liquidation have been fully paid or satisfied.

Result if only the number to be elected nominated.

52. If the number of persons who are duly nominated as candidates at any election does not exceed the number of members to be elected, the returning officer shall, at noon on the day of nomination at the place named as aforesaid for the delivery of the nomination papers, publicly declare such candidates to be duly elected, and make his return accordingly.

What to be done if more nominated than to be elected.

53. If the number of persons who are duly nominated as candidates exceeds the number of members to be elected, then for deciding between such candidates a poll shall take place on the day named in the writ for that purpose at the several polling places for the district, and the returning officer shall, at noon on the day and at the place named as aforesaid for the delivery of the nomination papers, publicly announce the names of the persons who have been duly nominated as candidates, and that a poll will be so taken, and shall also forthwith publish the like announcement in some newspaper published in the district, or, if none such is published, then in the newspaper published nearest to the district.

Retirement of nominated candidate before poll.

54. If any candidate is desirous of retiring from his candidature he may, not later than ‖seventy-two hours after the hour of noon on the day of nomination, sign and deliver to the returning office a notice in the following form or to the like effect:—

To the Returning Officer of the Electoral District of

I, A.B., do hereby retire from being a candidate for election for the Electoral District of at the ensuing election.

Dated this day of 18 .

(Signed) A.B.

Witness—
C.D.

The returning officer, on the receipt of such notice, shall omit the name of the person so retiring from the ballot papers to be used at the election, or, if any of such papers have been printed, shall erase his name therefrom.

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* Word "six" repealed, and "four" substituted therefor, 61 Vic. No. 26, s. 14.
† Date of writ omitted, 61 Vic. No. 26, s. 14.
‡ Proviso inserted, 61 Vic. No. 26, s. 14.
§ New section inserted, 61 Vic. No. 26, s. 15.
‖ Words "two clear days after" repealed, and "seventy-two hours after the hour of noon on" substituted in lieu thereof, 61 Vic. No. 26, s. 16.

The person so retiring shall not be capable of being elected at the election, and if the number of candidates is by his retirement reduced to the number of persons to be elected at the election, then the returning officer shall forthwith declare the remaining candidates or candidate to be duly elected as though the number of candidates had not exceeded the number of members to be elected, and the returning officer shall make known as publicly as possible, by advertisement or otherwise, the fact of the retirement of such candidate.

Destination of money paid on nomination

55. When a poll takes place as hereinafter provided, the moneys paid to the returning officer as aforesaid by all such candidates as shall not afterwards receive at the poll a number of votes equal at least to one-fifth part of the votes received by the successful candidate if there is only one, or by such one of the successful candidates if there are more than one as received the smallest number of votes, shall be forfeited to Her Majesty, and be paid over by the returning officer to the *Treasurer, and shall form part of the Consolidated Revenue Fund.

And after every election the returning officer shall pay to each of the candidates who has retired from his candidature under the provisions hereinbefore contained, or who has been returned without a poll, or who has received a number of votes equal at least to such fifth part whether he is declared elected or not, all moneys so paid by or for him.

†Provided that in computing the number of votes for the purposes of this section no votes shall in any case be reckoned other than votes for a candidate in the first instance.

Poll.

Booths to be erected.

56. For taking the poll at an election, the returning officers shall cause booths to be erected or rooms to be hired and used as such booths in one place at each polling place as occasion may require.

Returning officer to provide presiding officers.

57. The returning officer of each electoral district shall preside at one polling place within or belonging to his district, and shall by writing under his hand appoint presiding officers to take the poll at the other polling places, and shall supply a copy of the roll certified by him under his hand to each presiding officer.

The returning officer, and each presiding officer with the approval of the returning officer, may in like manner appoint one or more persons to be a poll clerk or poll clerks to assist him in taking the poll.

In case any returning officer or other presiding officer is prevented from attendance by illness or other sufficient cause, he may appoint by writing under his hand a substitute to act for him, who shall have full power and authority to do all things required by this Act to be done by his principal, but at his polling place only.

Absence of returning officer or presiding officer or substitute not to invalidate election.

If by reason of the absence of the presiding officer the poll is not taken at any polling place, the election shall not be therefore void, but it shall be lawful for the returning officer to appoint another day not later than thirty-six days from the day named in the writ for taking the poll at such polling place, of which appointment due notice shall be publicly given, and the poll shall be taken accordingly and be deemed to have been taken on the day first appointed.

Several polling booths at the same polling place.

‡When a larger number of electors is likely to vote at a polling place than can conveniently vote in the same polling booth, the returning officer may appoint two or more polling booths at that polling place, and shall, in such case, appoint presiding officers to take the poll at the polling booths at which he does not himself preside.

All the provisions of this Act relating to presiding officers shall apply to presiding officers presiding at such polling booths.

Ballot-papers to be printed and furnished.

58. Forthwith after a poll stands appointed for any election, the returning officer shall cause to be printed or written ballot papers containing the candidates' names in alphabetical order and nothing else, according to the following form:—

§ Doe, John
Roe, Richard
Smith, James
Thompson, Henry

and shall supply to the presiding officer of each polling place so many of such ballot papers as shall be fully equal to the number of electors likely to vote at such polling place, and shall keep for himself a like sufficient number for the polling place at which he is to preside.

If two candidates have the same ‖ surname and christian name, the residence and description of each candidate shall be added to his name on the ballot paper.

Returning officer to provide a ballot-room.

59. At every booth or polling place there shall be one or more compartment or compartments provided with all necessary materials for the purpose of enabling the electors to mark the ballot papers as hereinafter provided, and in such booth or polling place no person shall be entitled to be present other than the presiding officer, the poll clerk, the candidates and the scrutineers of the several candidates to be appointed as hereinafter provided, and the electors who for the time are voting.

The presiding officer or poll clerk may summon to his assistance in such booth or polling place any member of the police force for the purpose of preserving the public peace or preventing any breach thereof, and for removing out of such booth or polling place any person who in his opinion is obstructing the polling or wilfully violating any of the provisions of this Act.

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* Word "Colonial" repealed, 60 Vic. No. 3, s. 9.
† Proviso inserted, 61 Vic. No. 26, s. 17.
‡ Section 18 of Act of 1892, as amended, inserted, 61 Vic. No. 26, Schedule.
§ Form repealed, and new Form substituted therefor, 61 Vic. No. 26, s. 20.
‖ Order of words changed, 61 Vic. No. 26, s. 20.

Presiding officer to provide ballot box and papers.

60. The presiding officer shall provide a locked box, of which he shall keep the key, with a cleft or opening in such box capable of receiving the ballot paper folded as hereinafter mentioned, which box shall be opened to be inspected by the poll clerks, candidates, and scrutineers previously to its being locked for receiving the ballot papers, and such box shall stand upon the table at which the presiding officer presides.

Proceedings at the poll.

61. At every poll the voting shall commence at eight o'clock in the forenoon, and shall finally close at four o'clock in the afternoon of the same day, unless adjourned as hereinafter provided by reason of riot or other interruption: Provided that the Governor in Council may direct that the voting shall in any electoral district, or at any polling place or places in an electoral district, terminate at any hour later than four o'clock, but not later than six o'clock in the afternoon, and in any such case the voting shall terminate at the time so directed accordingly.

Appointment of scrutineers.

62. Each candidate may, by writing under his hand, appoint one person to be his scrutineer at each booth or polling place at the election, and every person so appointed scrutineer shall upon his appointment make and subscribe a solemn declaration in the presence of the presiding officer in the form following:—

> I, A.B., a scrutineer appointed by , a candidate for election in and for the electoral district of , do hereby solemnly declare that I will faithfully assist at such election, and that I will not attempt to improperly discover or by any word or action directly or indirectly aid in discovering the person for whom any vote is given; and that I will keep secret all knowledge of the person for whom any elector has voted, which I may obtain in the exercise of my office, unless in answer to any question which I am legally bound to answer.
>
> Declared before me this day of 18 . } A.B.
>
> Returning officer *or* presiding officer.

Questions to voters.

63. The presiding officer may if he thinks fit, and shall if required by any candidate or scrutineer, put to any person claiming to be an elector, before he votes and not afterwards, the following questions or either of them, that is to say—

First. Are you the same person whose name appears as (A.B. number—) in the roll in force for this electoral district?

Second. Have you already voted, either here or elsewhere at the present election for this electoral district?

Third. Are you disqualified from voting?

And if such person claims to be *a resident elector, the following additional questions, that is to say—

Fourth. †Have you within the last preceding seven months been *bonâ fide* resident within this electoral district for a period of one month?

Fifth. Where was your residence?

‡ * * * * * * *

Consequence of answers.

68. No person required to answer the questions hereinbefore prescribed, or any of them, shall be permitted to vote until he has answered the same in writing signed by him, to the satisfaction of the presiding officer, and in such a manner as to show that he is entitled to vote.§

Any person required to answer the fifth of such questions shall do so with particularity, and in such a manner as to clearly indicate the locality of his residence.

Declaration against bribery.

69. The presiding officer may if he thinks fit, and shall if called upon so to do by any candidate or scrutineer, require any person claiming to vote to make a solemn declaration against bribery in the form following—

> I [A.B.] do solemnly declare that I have not received or had, by myself or any person whatsoever in trust for me or for my use and benefit or for the use and benefit of any member of my family or kindred or any friend or dependent, directly or indirectly, any sum or sums of money, office, place of emolument, gift, or reward, or any promise or security for any money, office, employment, gift, or reward, by way of consideration, either expressed, implied, or understood, for giving my vote at this election.

and any person refusing to take the said declaration shall not be entitled to vote.

No other question of declaration necessary.

70. No elector shall at any election be required to answer any questions or to take any oath, affirmation, or declaration, except as herein provided. And no person claiming to vote at any election shall be excluded from voting thereat except by reason of its appearing to the presiding officer, upon putting the questions hereinbefore prescribed or any of them, that he is not the person whose name appears on the roll, or that he has previously voted at the same election, or that he is otherwise not entitled to vote under this Act, or except by reason of such person refusing to answer any of such questions or to make such declaration.

Ballot papers to be given to electors.

71. When an elector has satisfied the presiding officer that he is entitled to vote at the election the presiding officer shall deliver to him a ballot paper.

To be first initialed by presiding officer, and marked with elector's number on the roll.

Before delivery of the ballot paper to the elector the presiding officer shall mark the same on the ‖ back thereof with his initials in ink or pencil, and shall also write upon the back of the left-hand upper corner of the ballot paper in ink or pencil the number set against the name of the elector in the electoral roll.

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* Certain words repealed, and other words inserted, 5 Edw. VII. No. 1, s. 9 (17).
† Times altered, 61 Vic. No. 26, s. 21; and 5 Edw. VII. No. 1, s. 9 (17).
‡ Sections 64 to 67 repealed, 61 Vic. No. 26, s. 5.
§ Certain words repealed, 61 Vic. No. 26, s. 5.
‖ "Back" substituted for "face," 56 Vic. No. 17, s. 19.

The presiding officer shall then, and before delivery of the ballot paper to the elector, fold down the corner of the paper so as to entirely conceal the number so written, and shall securely fasten the fold with gum or otherwise in such a manner that the number cannot be discovered without unfastening the fold. And number to be concealed.

72. Upon delivery of the ballot paper to the elector, the presiding officer or poll clerk shall, upon the copy of the electoral roll in use by him, or, in the case of a presiding officer other than the returning officer, upon the certified copy of the roll supplied to him by the returning officer, make a mark against the name of the elector. Elector's name to be marked on roll.

The mark so made on the roll shall be *primâ facie* evidence of the identity of the person to whom the ballot paper is delivered with the elector whose name is so marked on the roll, and of the fact that such elector voted at the election.

The number marked upon the back of the ballot paper shall, upon a scrutiny, be conclusive evidence that such ballot paper was delivered to and used by the person who claimed to vote as the person against whose name such number is set in the electoral roll.

73. The elector having received a ballot paper shall, in one of the compartments or ballot rooms provided for the purpose, strike out from his ballot paper the names of such candidates as he does not intend to vote for, and shall make no other mark or writing thereon, and shall forthwith fold up the paper in such manner as will conceal the names of the candidates, and deposit it in the ballot box in the presence of the presiding officer. Provided that while an elector is in a compartment, preparing his ballot paper, no other person shall be allowed in such compartment. Provided, nevertheless, that in case any elector is unable to read, or is blind, he shall signify the fact to the presiding officer, who shall thereupon, in the booth or polling place, and in the presence and sight of the poll clerks, candidates, and scrutineers, strike out the names of the candidate or candidates other than the candidates for whom the elector says that he desires to vote. Mode of voting.

No elector shall take out of the booth or polling place any ballot paper either before or after the same has been so marked.

† * * * * * * * *

‡The elector shall fold up the paper in such a manner as to show the initials of the presiding officer on the back thereof, and shall exhibit such initials to the presiding officer before he is allowed to deposit the paper in the ballot box.

† * * * * * * * *

74. If at any booth or polling place a ballot paper has been delivered to any person who has claimed to vote as an elector, and afterwards another person claims to vote at such booth or polling place as being the person in whose name such first-mentioned person received the ballot paper, §or if a person claims to vote by a ballot paper when the presiding officer has been advised that a postal ballot paper has been issued in respect of the same name upon the roll, the presiding officer shall put to the person so secondly claiming to vote, or so claiming to vote by a ballot paper, the prescribed questions, and such person and such ballot paper shall be dealt with in all respects in the same manner as any other person claiming to vote, but his ballot paper shall not be deposited in the ballot box or allowed by the presiding officer, but shall be set aside for separate custody. Duty of returning officer when a second vote is tendered for one name.

Every such ballot paper shall be dealt with as hereinafter provided, and may be allowed and counted by order of the Elections Tribunal on a scrutiny, but not otherwise.

75. An elector may vote ‖in the first instance for any number of candidates not exceeding the number of members then to be elected. Elector may vote for number of members to be elected or any less number.

76. Every ballot paper which— For what causes ballot paper to be rejected.

(1.) Does not bear the initials of the presiding officer, or

(2.) Does not appear to have the elector's number written upon the back of it by the presiding officer as hereinbefore provided, or

(3.) Has such number torn off, or

(4.) Contains a greater number of names of candidates not struck out than the number of members to be elected, or

(5.) Has upon it any mark or writing not by this Act authorised to be put thereon ¶which in the opinion of the returning officer will or may enable any person to identify the ballot paper or the elector;

shall be rejected at the close of the poll.

**76A. Notwithstanding anything in this Act contained, no ballot paper shall be rejected merely because of some informality, or alleged informality, in the manner in which it has been dealt with by the elector or presiding officer if it is regular in other respects, and if, in the opinion of the returning officer, the intention of the elector in voting is clearly apparent, but nothing in this or the last preceding section contained shall be deemed to affect the jurisdiction of the Elections Tribunal with respect to elections. Ballot paper when not to be rejected.

77. If the proceedings at any election are interrupted or obstructed by any riot or open violence, the presiding officer shall not for such cause finally close the poll, but shall adjourn the poll at the particular polling place at which the interruption or obstruction happens, to the following day, and if necessary shall further adjourn such poll from day to day until the interruption or obstruction has ceased, when the presiding officer shall again proceed with the business of taking the poll at the place at which it was so interrupted or obstructed. Proceedings in case of riot or violence.

† Provisions repealed, 63 Vic. No. 9, Schedule III.
‡ Part of section 19 of Act of 1892 inserted, 61 Vict. No. 26, Schedule.
§ Certain words repealed, and others substituted, 5 Edw. VII. No. 1, s. 11 (2).
‖ Words "in the first instance" inserted, 61 Vic. No. 26, s. 18.
¶ Words to the end of subsection inserted, 61 Vic. No. 26, s. 19.
** New section inserted, 61 Vic. No. 26, s. 19.

And any day whereto the poll is so finally adjourned shall, as to such place, be reckoned the day of polling at such election within the meaning of the Act.

Provided that no adjournment shall be made to any day beyond that named as the return day in the writ, and if the election has not been completed by that day the returning officer shall specially return that fact. And when any poll has been so adjourned by any presiding officer other than the returning officer he shall forthwith give notice of such adjournment to the returning officer, who shall not finally declare the state of the poll or the name or names of the member or members chosen until the poll has been finally closed and the ballot papers have been examined and counted by him as hereinafter provided.

Power of presiding officer.

78. Every presiding officer shall have power and authority to maintain and enforce order and keep the peace at any election held by or before him.*

Provisions for securing Absolute Majority of Votes.

Meaning of "absolute majority of votes."

†78A. In the succeeding sections of this Act the term "absolute majority of votes" means a number of votes greater than one-half of the number of all the electors who vote at an election, exclusive of electors whose ballot papers are rejected, but the casting vote of the returning officer, when given, shall be included in reckoning an absolute majority of votes.

Members must obtain absolute majority of votes polled.

†78B. When a poll is taken at an election a candidate shall not, except as hereinafter provided, be elected as a member unless he receives an absolute majority of votes.

Electors may give contingent votes.

†78C. Notwithstanding the provisions of the seventy-third section of ‡this Act, an elector may, if he thinks fit, indicate on his ballot paper the name or names of any candidate or candidates for whom he does not vote in the first instance, but for whom he desires his vote or votes to be counted in the event of any candidate or candidates for whom he votes in the first instance not receiving an absolute majority of votes; and, if he indicates more than one such candidate, may indicate the order in which he desires that his vote or votes shall be counted for any such candidate or candidates.

Such indication shall be made by writing the figures 2, 3, or any subsequent number, opposite to the name or names of the candidate or candidates for whom he does not vote in the first instance, but for whom he desires his vote or votes to be so counted, and the order indicated by such numbers shall be taken to be the order in which he desires his vote or votes to be so counted:

Provided always that no mere irregularity or error in writing such figures shall invalidate the vote or votes given by an elector in favour of any candidate or candidates in the first instance if the ballot paper of such elector is otherwise in order.

When one member only to be returned.

†78D. When one member only is to be returned at the election, if there is no candidate who receives an absolute majority of votes, all the candidates except those two who receive the greatest number of votes shall be deemed defeated candidates.

The vote of every elector who has voted for a defeated candidate shall be counted for that one (if any) of the remaining two candidates for whom he has indicated in the manner aforesaid that he desires his vote to be counted.

The vote so counted for such remaining candidates shall be added to the votes originally given for them, and the candidate who receives the greatest number of votes, including the votes so counted (if any), shall be elected.

When two members to be returned and not more than four candidates.

§78E. When two members are to be returned, and there are not more than four candidates, the two candidates who receive the greatest number of votes shall be elected.

When more than four candidates.

§78F. When two members are to be returned, and there are more than four candidates, if there is no candidate who receives an absolute majority of votes, all the candidates except those four who receive the greatest number of votes shall be deemed defeated candidates.

The vote or votes of every elector who has voted for a defeated candidate or defeated candidates shall be counted for that one or those two of the remaining four candidates for whom the elector has not voted in the first instance but for whom he has indicated in the manner aforesaid that he desires his vote or votes to be counted.

The votes so counted for such remaining candidates shall be added to the votes originally given for them, and the candidates who receive the greatest number of votes, including the votes so counted (if any), shall be elected.

If only one candidate receives an absolute majority of votes, he shall be elected.

In that case all the other candidates except those two who receive the next greatest number of votes shall be deemed defeated candidates.

The vote of every elector who has voted for a defeated candidate shall be counted for that one (if any) of the remaining two candidates for whom the elector has not voted in the first instance but for whom he has indicated in the manner aforesaid that he desires his vote to be counted.

The votes so counted for such remaining candidates shall be added to the votes originally given for them, and the candidate who receives the greatest number of votes, including the votes so counted (if any), shall be elected.

Casting vote.

§78G. When two or more candidates, neither of whom is elected, receive an equal number of votes, the returning officer shall decide by his casting vote which of them have or has the greatest number of votes.

Ballot-paper not to be rejected for certain informalities.

‖78H. If an elector writes a figure opposite to the name of a candidate for whom he votes in the first instance, the ballot paper shall not be rejected for that reason only.

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* Certain words repealed, 63 Vic. No. 9, Schedule III.
† Sections 20 to 23 of Act of 1892 inserted, 61 Vic. No. 26, Schedule.
‡ "This" substituted for "the Principal," 61 Vic. No. 26, Schedule.
§ Sections 24 to 26 of Act of 1892 inserted, 61 Vic. No. 26, Schedule.
‖ Section 27 of Act of 1892 inserted, 61 Vic. No. 26, Schedule.

*78J. The foregoing provisions of this Act for securing the absolute majority of votes shall not apply to any election at which more than two members are to be elected for one Electoral District: When contingent vote not to apply.

Provided always that if an elector writes a figure or figures opposite to the name or names of a candidate or candidates, the ballot paper shall not be rejected for that reason only.

† *Voting by Postal Ballot.*

78K. Any female elector who desires to vote through the post office, and any male elector who on polling day will be absent from the district for which he is enrolled and who desires to vote through the post office, may, not later than the second day preceding polling day, apply to the returning officer for a postal ballot certificate. Application for postal ballot certificate.

No such application by a voter who cannot write his or her own name shall be granted.

Such application shall be in the following form, or to the like effect:—

Application for Postal Ballot Certificate.

To the Returning Officer, Electoral District of

I [*here state name in full, place of residence, and occupation*] do hereby declare as follows, that is to say:—

1. I am an elector enrolled for the Electoral District of and am now entitled to vote.

2. I reside at the above address, and have within the last preceding seven months been *bonâ fide* resident within the said Electoral District for a period of one month. Or [*in the case of a member of the Assembly who is enrolled for the district he represents instead of the district in which he resides*] I am enrolled as a member of the Legislative Assembly for the said Electoral District.

(*This clause does not apply to electors who are enrolled in respect to freehold or leasehold property.*)

3. I [*in the case of a male insert*] shall be absent from the Electoral District on polling day, and therefore make this application to entitle me to vote by postal ballot.

4. I request that the necessary certificate and postal ballot paper be forwarded to me at the above address [*or to (state other address where voter may be found)*]. (*If the application is made in person this clause need not be filled up.*)

(Signed) C.D.

Signed in my presence and declared before me at this day of 19 .

A.B. [*Returning Officer or J.P.*]

The application must be signed by the applicant with his or her own hand, in the presence of and must be declared before and attested by the returning officer or a justice of the peace.

Any false statement in this application is punishable by a penalty not exceeding one hundred pounds or by imprisonment, with or without hard labour, not exceeding six months.

The application must be signed by the applicant with his or her own hand, in the presence of and must be declared before and attested by the returning officer or a justice of the peace, each of whom is hereby authorised to take such declaration:

Provided that no justice who is a candidate at the election or is a member of the Assembly shall be competent to take or attest any such declaration.

Any person who makes in any such application any statement which in any material particular is to his or her knowledge false shall be liable to a penalty not exceeding one hundred pounds or to imprisonment with or without hard labour for any period not exceeding six months.

78L. Upon receipt of the application the returning officer, if satisfied that the name of the applicant is entered on the roll and that he or she is otherwise entitled to vote, shall grant the certificate, which shall be duly endorsed upon an envelope, and shall be in the following form:— Grant and form of certificate.

Postal Ballot Certificate.

No. on Roll

Electoral District of

I certify that of is entitled to vote at the ensuing election for the Legislative Assembly.

The vote must be posted to me on or before the day of , 19 .

Dated the day of , 19 .

Returning Officer.

Signature of voter

on the day of in the presence of

Postmaster [or Justice of the Peace].

* Section inserted, 64 Vic. No. 25, s. 10.
† Provisions as to postal ballot inserted, 5 Edw. VII. No. 1, s. 10.

Certificate and postal ballot-paper.

78M. The returning officer shall deliver or cause to be sent to the voter—

(*a.*) The certificate endorsed upon an envelope;

(*b.*) An envelope addressed to the returning officer at the principal polling place; and

(*c.*) A postal ballot paper.

Every postal ballot paper shall be of such material that the voter may effectually conceal the name of the person for whom he or she has voted, and shall be in the following form:—

[*Front Page.*]

POSTAL BALLOT PAPER.

INSTRUCTIONS—

(i.) You must deliver to a postmaster or justice of the peace the postal ballot paper and the two envelopes in the same condition in which they were issued.

(ii.) You must then sign your name upon the certificate, and the postmaster or justice of the peace must then and there attest your signature.

(iii.) The postmaster or justice of the peace must then deliver the postal ballot paper to you, but must retain the two envelopes.

(iv.) You must then in the presence of, but not in the sight of, the postmaster or justice of the peace record your vote by writing on the second page of the ballot paper the name of the candidate or the names of the candidates for whom you vote.

(v.) You must then fold up the ballot paper so as to conceal the name or names of the candidate or candidates, and deliver it to the postmaster or justice of the peace.

(vi.) The postmaster or justice of the peace must then, without unfolding the ballot paper, place it in the envelope which is endorsed with the certificate, and fasten up the envelope.

(vii.) The postmaster or justice of the peace must then place such envelope in the envelope addressed to the returning officer, and upon receipt from you of the proper postage stamps must in your presence affix them to the envelope.

[*Second Page.*]

HOW TO VOTE.

Below write the name of the candidate you vote for. If two members are to be chosen you may write the name of one or the names of two candidates. You may vote contingently if you choose to do so by writing the names one below the other to denote the order of your preference.

No elector who has received any such certificate shall be entitled to vote except by means of a postal ballot paper.

Returning officer to initial postal ballot paper, &c.

78N. The returning officer shall keep and number the applications in consecutive numerical order.

Before the issue of the ballot paper to the voter the returning officer shall mark the same on the front page thereof with his initials in ink or pencil, and shall write upon the certificate and also upon the back of the right hand upper corner of the second page of the ballot paper in ink or pencil the number set against the name of the voter in the roll, and the returning officer shall fold down the corner of the ballot paper so as to entirely conceal the number so written, and shall securely fasten the fold with gum or otherwise in such a manner that the number cannot be discovered without unfastening the fold.

How vote recorded.

78O. In the presence of any postmaster or justice of the peace within the State, and of no other person, the voter may, on or before the second day preceding polling day, but not afterwards, vote in manner following and not otherwise:—

(i.) The voter shall deliver to the postmaster or justice of the peace the postal ballot paper and the two envelopes aforesaid, in the same condition in which they were issued.

(ii.) The voter shall then sign his or her name upon the certificate, and the postmaster or justice of the peace shall then and there attest the signature.

(iii.) The postmaster or justice of the peace shall then deliver the postal ballot paper to the voter, but shall retain the two envelopes aforesaid.

(iv.) The voter shall then in the presence of, but not in the sight of, the postmaster or justice of the peace vote by writing on the second page of the ballot paper the name of the candidate or the names of the candidates for whom the voter votes.

(v.) The voter shall then fold up the ballot paper so as to conceal the name or names of the candidate or candidates, and deliver it to the postmaster or justice of the peace.

(vi.) The postmaster or justice of the peace shall then, without unfolding the ballot paper, place it in the envelope which is endorsed with the certificate, and shall fasten up the envelope.

(vii.) The postmaster or justice of the peace shall then place such envelope in the envelope addressed to the returning officer, and upon receipt from the voter of the proper postage stamps shall, in the presence of the voter, affix them to the envelope. If the postmaster has attested the vote, he shall forthwith post the vote in the post office. If the justice of the peace has attested the vote, he shall forthwith deliver it to the voter, who shall post it on the same day.

(viii.) For the purposes of contingent voting the voter may write the names of the candidates or of any candidates upon the ballot paper, one below the other, and the order in which the voter has so written them shall denote the order in which the voter desires the vote or votes to be counted.

Postmaster not to look at vote.

78P. The postmaster or justice of the peace shall not look at the name of any candidate for whom the voter votes. In any case where a postmaster has no letter stamp designed to show the name of the post office or receiving office with the date, the postmaster may, instead of stamping with the letter stamp and date where hereinbefore required, write in ink the name of the post office or receiving office and the date in figures together with his or her initials.

Returning officer to notify issue of certificate.

78Q. The returning officer shall on all copies of rolls issued by him for use at the election make a note against the name of every elector to whom a postal ballot certificate has been issued.

Advice to presiding officers.

If there is not time to conveniently note the facts aforesaid on the rolls, the returning officer shall immediately advise all presiding officers of such issue in such manner as he thinks fit.

Evidence of voter's signature, &c.

A signature upon a postal ballot certificate purporting to be the signature of a voter shall, upon a scrutiny, without further proof be *primâ facie* evidence that such voter voted at the election by postal ballot.

The date upon such certificate purporting to be the date on which the voter's signature is attested shall upon a scrutiny, without further proof, be *primâ facie* evidence of the date on which the vote was recorded and posted.

The number marked upon the back of the ballot paper as aforesaid shall, upon a scrutiny, be *primâ facie* evidence that such ballot paper was issued to and used by the person to whom the postal ballot certificate bearing the same number was issued.

Examination and count of votes.

78R. At the scrutiny the returning officer shall produce, unopened, all voters' envelopes received up to the close of the poll, and the outer envelopes shall be opened, and the enclosures shall be dealt with as follows:—

(i.) The returning officer shall produce the voters' applications;

(ii.) The returning officer, without opening the envelope endorsed with the certificate, shall compare the signature of the voter with the signature to the application, and allow the scrutineers who are present to inspect the same, and shall determine whether the signature on such envelope is that of the applicant. He shall also determine whether the vote was recorded and posted within the time prescribed, and shall disallow all votes which have not been so recorded and posted;

(iii.) If the vote is allowed, the returning officer shall open the envelope and insert the postal ballot paper in the ballot box. He shall also forthwith attach the said envelope by gum or otherwise to the application relating thereto;

(iv.) No postal ballot paper shall be allowed at the scrutiny which is not enclosed in an envelope endorsed with the certificate duly stamped;

(v.) If the returning officer disallows the vote, then the envelope endorsed with the certificate, unopened, and the application relating thereto shall be attached together by gum or otherwise, and shall be set aside for separate custody.

Mistakes.

78S. Any mistake in spelling of the name of any candidate, where the intention of the voter is clear, shall not render such vote informal. It shall suffice, when no two candidates have the same surname, for the voter to write the surname only of the candidate for whom he votes.

Saving appeal to Elections Tribunal.

78T. Nothing herein contained shall be deemed to take away the right to appeal to the Elections Tribunal from the decision of the returning officer as to the allowance or disallowance of a postal ballot vote.

Part V.—Declaration of the Result and Return of Writs of Election.

Presiding officer to seal and forward ballot papers to returning officer.

79. Every presiding officer other than the returning officer shall, at the close of the poll, in the presence of the poll clerk, if any, and of such of the candidates and scrutineers as may attend, examine and count the number of votes received for each candidate at the polling place at which he presided, and shall make out a written statement, signed by himself and countersigned by his poll clerk, if any, and any scrutineers who are present and consent to sign the same, containing the numbers in words as well as figures of the votes received for each candidate so counted as aforesaid; and after making out and signing such statement shall make up in one parcel all the ballot papers together with the roll supplied to him by the returning officer (which shall be signed by him and the poll clerk, if any) and all books and papers used by him during the polling, and in another parcel all ballot papers set aside for separate custody as aforesaid, and shall seal up such parcels and permit the same to be sealed by the scrutineers present if they so desire, and shall with the least possible delay deliver such parcels and statement or cause them to be delivered to the returning officer; and shall, by the next practicable opportunity thereafter, also transmit a duplicate of such statement, signed and countersigned as aforesaid.

Returning officer to examine and count votes at his polling place and then seal up the same.

80. Every returning officer shall, at the close of the poll, in the presence of his poll clerk, if any, and of such of the candidates and scrutineers as may attend, examine and count the number of votes received for each candidate at his own polling place, and shall make out a written statement, signed by himself and countersigned by his poll clerk, if any, and by any scrutineers who are present and consent to sign the same, containing the number in words and figures of the votes received for each candidate so counted as aforesaid; and after making out and signing such statement shall make up in one parcel all the ballot papers, rolls, books, and papers kept and used by him during the polling, and in another parcel all ballot papers set aside for separate custody as aforesaid, and shall seal up such parcels and

permit the same to be sealed by the scrutineers present if they so desire; and shall endorse the same when so sealed with a description of the contents thereof, and with the name of the electoral district and polling place, and the date of polling, and sign such endorsement with his name.

Returning officer to open sealed parcels transmitted by presiding officers and count the votes, after which each parcel to be re-sealed.

81. As soon as possible after the returning officer has received from the several presiding officers the sealed parcels so transmitted to him, containing the ballot papers taken at the polling places at which such presiding officers respectively presided, and the several statements of the number of votes so transmitted by them, he shall from his own and such other statements ascertain the gross number of votes for each candidate, and shall also, in the presence of his poll clerk, if any, and of such candidates and scrutineers as may attend, open such sealed parcels, and examine and count the number of votes for each candidate at each polling place; and after having counted the same shall make up in separate parcels the ballot papers, rolls, books, and papers received from each presiding officer in like manner as hereinbefore required concerning the ballot papers, rolls, books, and papers kept and used by him at his own polling place, and shall seal up, and also permit to be sealed up by the scrutineers, and shall endorse in like manner as aforesaid, the said several parcels, and deal with the same as hereinafter provided.

The returning officer shall also make out in respect of each polling place a like written statement, signed and countersigned as hereinbefore required, concerning his own polling place.

The returning officer shall also examine the rolls which have been used and marked by himself and the presiding officers at the several polling places, and ascertain whether any electors appear to have voted at more than one polling place, and shall make out a list showing the names and numbers of all electors who appear to have so voted at more than one polling place, and shall forward a copy thereof to each of the candidates, and shall enclose the original list in the sealed packet to be made up by him as hereinafter provided.

No returning officer shall open or examine any sealed packet in the joint absence of any candidate and his scrutineer unless he has given twenty-four hours' previous notice in writing to such candidate, or to his scrutineer, of his intention to open and examine the same.

Declaration of poll.

82. The returning officer, as soon as possible after he has examined and counted all the ballot papers taken at the different polling places and ascertained the gross number of votes received for each candidate, shall then at the place of nomination openly declare the general state of the poll so ascertained, and shall at the same time and place declare the name or names of the person or persons elected.

*Provided that when the returning officer has ascertained upon an examination and count of all the ballot papers taken at the different polling places, and of such postal ballot papers as have then been received, examined, and counted by him, that the result of the election cannot be affected by any votes given by any postal ballot papers still to be received from distant places, he may at once declare the name or names of the person or persons elected. But he shall nevertheless, in manner hereinbefore prescribed, examine and count all votes contained in such postal ballot papers received thereafter until the second day preceding the day named in the writ for the return thereof.

Late postal votes.

*Save as hereinafter provided, no envelope purporting to contain a postal ballot paper received by him on the second day preceding or on the day preceding the day named in the writ for the return thereof, or on or after such day, shall be opened or examined by him, and no vote given thereby shall be counted; and he shall, in manner hereinafter directed, transmit all such envelopes, unopened, to the Clerk of the Assembly:

*Provided that when by reason of some impediment the receipt of certain postal ballot papers has been delayed, and the returning officer has reason to believe that votes given by such ballot papers when received, examined, and counted, may affect the result of the election, he may certify accordingly to the Governor or Speaker, as the case may be, and the Governor or Speaker may thereupon extend the time for the return of the writ, so as to permit such votes to be received, and such votes shall when received, be examined and counted, and the state of the poll shall be then declared accordingly.

In the event of the number of votes for any two or more candidates being found to be equal, he shall decide by his casting vote which shall be elected.

No returning officer shall vote at any election for the electoral district of which he is the returning officer except in the case of an equality of votes.

Ballot papers to be transmitted to the Clerk of Assembly.

83. The returning officer shall, as soon as practicable after the declaration of the poll at any election, enclose in one packet the several sealed parcels so made up and sealed by him, and shall seal up such packet and endorse the same with a description of the several contents thereof, and the name of the electoral district and the date of polling, and sign such endorsement with his name, and shall forthwith transmit such sealed packet to the Clerk of the Legislative Assembly, who shall safely keep the same for two years after the receipt thereof.

In case any question shall at any time arise touching the votes alleged to have been given at any election, the ballot papers, †certificates, and applications contained in any such sealed packet shall be received in evidence as proof of such votes in any court of justice or by the Elections Tribunal upon production thereof, and of a certificate under the hand of the Clerk of the Assembly that the same were transmitted to him in due course by the returning officer of the electoral district to which the same relate.

The Return.

Name of person elected to be endorsed on writ.

84. The name of every person elected and the date of his election shall be endorsed on the writ by the returning officer, and the writ shall be by him returned to the Governor or Speaker, as the case may be, within the time specified therein.

* Paragraphs inserted, 5 Edw. VII. No. 1, s. 11 (3).
† Certain words inserted, 5 Edw. VII. No. 1, s. 11 (4).

85. No election under this Act shall be liable to be questioned by reason of any defect in the title, or any want of title, of any person by or before whom such election is held, if such person really acted at such election, nor by reason of any formal error or defect in any declaration or other instrument, or in any publication made under this Act or intended to be so made, nor by reason of any such publication being out of time. Election not to be questioned.

86. No election for any electoral district shall be void in consequence solely of any delay in holding the election at the time appointed, or in taking the poll, or in the return of the writ, or in consequence of any impediment of a merely formal nature. And the Governor in Council may adopt such measures as may be necessary for removing any obstacle of a merely formal nature by which the due course of any election might be impeded. Remedy for informalites in election proceedings.

Provided that the validity of the election and the measures so taken shall be forthwith declared by the Governor in Council by proclamation.

87. All expenses which a returning officer necessarily incurs in and about an election under the provisions of this Act, *and also such remuneration as may be fixed by way of payment for services rendered by a returning officer, shall be defrayed out of such moneys as shall be appropriated by Parliament for that purpose. Expenses.

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No. 11.

AUSTRALIA.

THE GOVERNOR-GENERAL to THE SECRETARY OF STATE.

(Received December 1, 1906.)

MY LORD, Governor-General's Office, Melbourne, October 25, 1906.

IN compliance with the request contained in your Lordship's despatch of the 31st March last, I have now the honour, at the instance of my Prime Minister, to transmit, herewith, a copy of a memorandum, which has been prepared by the Chief Electoral Officer of the Commonwealth, relating to the machinery and cost of Commonwealth (General) contested elections for the House of Representatives, together with a volume containing the Conmmonwealth Electoral Statutes, Regulations, Instructions, &c.

I have, &c.,
NORTHCOTE,
Governor-General.

Enclosure in No. 11.

COMMONWEALTH OF AUSTRALIA.

MEMORANDUM of the Chief Electoral Officer for the Commonwealth Relating to the Machinery and Cost of Commonwealth (General) Contested Elections for the House of Representatives.

Elections are held under the provisions of the Commonwealth Electoral Acts 1902-1905.

The Minister of State administering the Commonwealth Electoral Act is the Minister for Home Affairs.

There is a Chief Electoral Officer for the Commonwealth.

There is a Commonwealth Electoral Officer for each State, who, subject to the directions of the Chief Electoral Officer, is the principal electoral officer in the State.

There are 75 electoral divisions in the Commonwealth.

There is a Divisional Returning Officer for each electoral division, who is charged with the duty of giving effect to the provisions of the Commonwealth Electoral Acts 1902-1905 within or for his division, subject to the directions of the Commonwealth Electoral Officer for the State. The Divisional Returning Officer is located at the chief polling place for the division.

Assistant Returning Officers are appointed on the occasion of an election to exercise within or for any portion of a division, subject to the control of the Divi-

* Words from "and" to "returning officer" inserted, 61 Vic. No. 26, s. 22.

sional Returning Officer, all the powers of the Divisional Returning [Officer] except the powers of that Officer under Part X. of the Commonwealth Electoral Acts 1902-1905 (postal voting), but no Assistant Returning Officer is appointed in or for any portion of the division in which less than one hundred electors are enrolled.

The Assistant Returning Officers are charged with the conduct of the scrutiny of the votes polled in that portion of the division for which they are appointed. They also act as presiding officers at the polling places at which they are located.

Such polling places are appointed within each division as are necessary to meet public convenience.

An electoral roll is prepared for each polling place, the names thereon being those of the electors for the division for whom the polling place is most convenient.

The writ for an election is issued by the Governor-General direct to the Divisional Returning Officer, who advertises its receipt and particulars in not less than two newspapers circulating in the division, and forwards a copy of the writ to each Assistant Returning Officer in the division.

The Divisional Returning Officer receives nominations at the chief polling place.

The Returning Officer advertises—

(*a*) the names, addresses and occupations of the candidates nominated; and

(*b*) the polling places appointed by the Minister for the purpose of the election.

A period of ten days is usually allowed for the purpose of receiving nominations.

Twelve o'clock noon on the day of nomination is the hour of nomination, and the Divisional Returning Officer then attends at the chief polling place and publicly produces all nomination papers received by him, and declares the names and residences of all candidates nominated.

The Divisional Returning Officer appoints a Presiding Officer to preside at each polling place at which he will not be continuously present—appoints all necessary poll clerks and doorkeepers—provides and furnishes proper polling booths and ballot boxes, and provides ballot papers and lists of voters.

The Presiding Officer may appoint a substitute to perform his duties during his temporary absence, and may, if authorised by the Divisional Returning Officer so to do, appoint one or more Assistant Presiding Officers to assist him in presiding at any polling booth.

Polling booths have separate voting compartments constructed so as to screen the voters from observation while they are marking their ballot papers.

The lists of voters used at the election are the lists of the electors enrolled for the polling places for the division, and such lists are, before the hour for commencing the poll, certified to by the Returning Officer and delivered to the Presiding Officers for their guidance during the polling.

In printing the ballot papers the names of all candidates duly nominated are printed in alphabetical order according to their surnames; if there are two or more candidates of the same surname, their names are printed according to the alphabetical order of their christian names; or if their christian names are the same, then according to the alphabetical order of their residences. Where similarity in the names of two or more candidates is likely to cause confusion, the Returning Officer conducting the election may arrange the names with such description or addition as will distinguish them from one another.

A square is printed opposite the name of each candidate.

A ballot paper, before being issued to a voter, is initialed on the back by the Presiding Officer. An exact account is kept of all ballot papers initialed.

The elector marks his vote by making a cross in the square opposite the name of the candidate for whom he votes.

Scrutineers are appointed by candidates to represent them at the polling, one scrutineer only being allowed to each candidate at each polling booth or sub-division of a polling booth.

No candidate may in any way take part in the conduct of an election; and no one, other than the Presiding Officer, the Poll Clerks, Doorkeepers, and Scrutineers, and the electors voting and about to vote, is permitted to enter or remain in the polling booth during the polling except by permission of the Presiding Officer.

Before any vote is taken the Presiding Officer is required to exhibit the ballot box empty, and then securely fasten its inner cover.

The poll is opened at eight o'clock in the morning, and does not close until all electors present in the polling booth at seven o'clock in the evening and desiring to vote, have voted.

At the close of the poll the Presiding Officer is required to publicly close, fasten, and seal and take charge of the ballot box, and with the least possible delay forward it for the purposes of scrutiny to the Divisional Returning Officer or the Assistant Returning Officer appointed for that portion of the electoral division in which the polling place is located.

Where, and how, Electors may Vote.

An elector may vote at—

(*a*) The polling place for which he is enrolled, by means of the ordinary ballot paper;

(*b*) Any other polling place for the same electoral division by means of the ordinary ballot paper, if he makes and signs before the Divisional Returning Officer a declaration as to identity and further declares that he has not voted either at the polling place in question or at any other polling place at the election, and that if permitted to vote, he will not vote at the election at any other polling place;

(*c*) Pursuant to regulations, a polling place in the State, other than a polling place for the division for which he is enrolled, which is presided over by a Divisional Returning Officer or Assistant Returning Officer, on making and subscribing a declaration of identity, and declaring further that he has not already voted, and that, if permitted to vote, will not again vote at the election at any polling place.

The ballot paper in this case is provided by regulation, and is transmitted, together with the declaration, at the conclusion of the poll, to the Divisional Returning Officer for the division in which the elector is enrolled.

An elector may vote by post, who has reason to believe that he will not on polling day be within seven miles of the polling place for which he is enrolled; who, being a woman, will on account of ill-health be unable on polling day to attend the polling place to vote; or, who will be prevented by serious illness or infirmity from attending the polling place on polling day.

The Scrutiny.

The result of the polling is ascertained by scrutiny.

The scrutiny is conducted as soon as practicable after the closing of the poll.

The scrutineers and any other persons approved by the officer conducting the scrutiny may be present.

All the proceedings at the scrutiny are subject to the inspection of the scrutineers.

All informal votes are rejected, and the number recorded.

The scrutiny may be adjourned as may be necessary until the counting of the votes is complete.

Each candidate may appoint one scrutineer to represent him at the scrutiny.

Any scrutineer may object that any ballot paper is informal, and thereupon the officer conducting the scrutiny is required to mark the ballot paper "admitted" or "rejected," according to his decision on the objection; and such decision being final, subject only to reversion by the Court of Disputed Returns.

A ballot paper is informal—

(*a*) If it is not duly initialed by the Presiding Officer; or

(*b*) If it has not a cross in a square opposite the name of a candidate, or has crosses in squares opposite the names of more than one candidate; or

(*c*) If, being a postal vote, it has no candidate's name written on it, or has the name of more than one candidate written on it; or

(*d*) If it has upon it any mark or writing not authorised by the Act to be put upon it which, in the opinion of the Returning Officer, will enable any person to identify the voter.

All ballot papers used for voting are preserved in the custody of the Divisional Returning Officer until the election can be no longer questioned.

Method of Conducting the Scrutiny.

Each Assistant Returning Officer, in the presence of such scrutineers as choose to be present, opens all ballot boxes containing the ballot papers received from polling places within or for that portion of the division in which he exercises his powers, and is required to—

(1) Arrange the ballot papers under the names of the respective candidates by placing in a separate parcel all those which have a cross set opposite the name of the same candidate, rejecting all informal ballot papers;

(2) Transmit the following information by telegram or some other expeditious manner to the Divisional Returning Officer:—

(*a*) The number of votes recorded for each candidate; and

(*b*) The total number of ballot papers rejected as informal; and

(3) Seal up and endorse such parcels and transmit them to the Divisional Returning Officer.

The Divisional Returning Officer is required to open all ballot boxes not opened by Assistant Returning Officers, and deal with the ballot papers contained therein.

The Divisional Returning Officer is also required to open the ballot boxes for his division containing "Postal" and "Absent" votes, and to conduct the scrutiny thereof.

The Divisional Returning Officer, after receiving from the Assistant Returning Officers in his division copies of the writ endorsed with the total number of votes cast for each candidate in the portions of the division for which they are appointed, is required to ascertain the final result of the election, and, in the event of an equality of votes, must give a casting vote for the purpose of deciding the election; otherwise he is not entitled to vote.

At any time before the declaration of the poll, the Divisional Returning Officer may, if he thinks fit, at the request of any candidate or of his own motion recount the ballot papers contained in any parcel. This recount is purely arithmetical.

The Divisional Returning Officer is required, as soon as conveniently may be after the result of the election has been ascertained, to publicly declare the result of the election, and the same of the candidate elected, to endorse and certify on the original writ the name of the candidate elected and return the writ through the Commonwealth Electoral Officer for the State in which the election is held.

The following acts are on polling day prohibited, under a penalty of £25, at the entrance of or within a polling booth, namely, canvassing for votes or soliciting the vote of any elector, or inducing any elector not to vote for any particular candidate, or inducing any elector not to vote at the election.

The limitation of election expenses is provided for under Part XIV. of the Commonwealth Electoral Acts, 1902-1905.

Electoral Offences under Part XV. of the Commonwealth Electoral Acts, 1902-1905.

Cost of Commonwealth General Elections.

There has been no General Election for the House of Representatives alone.

The cost of elections for the Senate and House of Representatives combined is approximately £45,000 for the Commonwealth.

The entire cost of conducting elections is a charge against the consolidated revenue of the Commonwealth.

The cost varies from £150 in the metropolitan divisions, where the population is concentrated, to £800 in large and sparsely-populated divisions.

Enclosures (bound), one copy each—

(*a*) Representation Act, 1905.
(*b*) Constitution Act.
(*c*) Commonwealth Electoral Acts, 1902-1905.
(*d*) Franchise Act, 1902.
(*e*) Regulations under the Commonwealth Electoral Acts, 1902-1905.
(*f*) Instructions to Divisional Returning Officers and Assistant Returning Officers, 1906.
(*g*) Instructions to Presiding Officers, 1906.
(*h*) Instructions to Registrars, 1906.
(*i*) Departmental Financial Instructions, 1906.

These documents set forth in detail the Departmental procedure in connection with the conduct of contested elections.

Chief Electoral Office for the Commonwealth,
Department of Home Affairs,
Melbourne, October 10, 1906.

No. 12

TASMANIA.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received January 21, 1907.)

MY LORD, Government House, Hobart, December 17, 1906.

IN compliance with the directions contained in Your Lordship's despatch of the 31st of March of this year, I have the honour to transmit, herewith, documents furnished by my Ministers which give information relative to manner of conducting elections in this State and the cost thereof.

I have, &c.,
G. STRICKLAND,
Governor.

Enclosure in No. 12.

ELECTORAL ADMINISTRATION IN TASMANIA.

Legislation.

The Parliamentary Elections in Tasmania are regulated by Acts 1 Ed. VII, No. 57, and 4 Ed. VII, No. 1.

Electoral Districts.

There are 15 Legislative Council Districts and 35 House of Assembly Districts. The boundaries of existing electoral districts were defined by the Governor on the lines of plans submitted to and approved by Parliament.

Polling Places.

Polling places are appointed and abolished by the Governor, but no alteration in the list of polling places may be made between the day on which a Writ is issued for an election in any district and the day fixed for the taking of the poll.

Officers.

The officer responsible under the Minister for the proper administration of the Electoral Acts is styled the "Chief Electoral Officer."

A separate Returning Officer is appointed for each electoral district, charged with the keeping of the roll and the conduct of elections in his district.

There are no other permanently employed electoral officers. The selection of Deputy Returning Officers, Poll Clerks, &c., required for the carrying out of an election is entrusted to the respective Returning Officers, and the remuneration for such services is fixed by regulation.

Preparation of Electoral Rolls.

New electoral rolls are prepared from time to time. In the preparation of new rolls the Returning Officers are empowered to enlist the names of all persons known to be qualified, and the services of the police are utilised in collecting names by means of house to house visits. No names may be added to the rolls after they are confirmed unless the elector submits a formal claim for enrolment. The rolls are kept posted for public information at various public buildings throughout the State, and

electors who find that their names are not included have only to send claims to the Returning Officers to secure enrolment. Supplemental rolls are printed after the holding of each Revision Court and immediately previous to any election.

Courts of Revision.

Courts of Revision consisting of two or more Justices of the Peace assembled in Special Sessions are held in the months of January and July for the purpose of revising the electoral rolls.

Courts of Revision are also held within four days after the issue of Writs for elections for the purpose of confirming names added to the rolls since the last half-yearly Courts.

Writs.

Writs for the election of Members of Parliament are issued by the Governor, directed to the Returning Officer, and are returnable within 40 days from date.

Nominations.

Any two or more electors of any district may nominate any person for election. Each candidate is required to deposit with the Returning Officer the sum of £25, and any candidate who fails to obtain a number of votes equal at least to one-fourth of the votes received by the successful candidate forfeits the deposit.

The Poll.

The Returning Officers are required to preside at the chief polling places and to appoint deputies for each of the other polling places. Ballot papers, stationery, &c., are supplied by the Chief Electoral Officer.

The hours of voting are from 8 a.m. to 6 p.m.

Electors are required to vote at the polling places assigned to them on the roll, but they may vote at any other polling place in the district on taking an oath as to their not having previously voted.

There is a system of voting by post, but such system cannot be applied unless the elector declares that on election day he will be more than five miles distant from the polling place at which he ought to vote.

All ballot papers are signed or stamped at back by the Chief Electoral Officer and by the Returning Officer.

Election Expenses.

No person is permitted before or during an election for the purpose of promoting or procuring the election of a candidate to be engaged or employed for payment or promise of payment.

A candidate's total expenditure in connection with an election is limited to £50. Within 30 days after the taking of the poll the candidates are required to transmit to the Returning Officer a true return of their election expenses.

Bribery and Corruption.

The Act clearly sets out the various electoral offences and punishments.

Controverted Elections.

In the case of disputed elections the complaints are made by petition addressed to the Supreme Court of Tasmania and left with the clerk of such Court. Such petitions must be made within 20 days after the declaration of the poll and signed by a person who was a candidate at such election or by not less than one-tenth of the electors who actually voted or were qualified to vote at the election in dispute.

Security must be given by the petitioner to the amount of £100.

The petitions are tried before two or more Supreme Court Judges in open Court without juries.

Miscellaneous.

No election is held to be void in consequence of any omission or informality in the election, or in the absence or error of any officer, unless such omission, informality, absence, or error shall be proved to have affected the result of the election.

Cost of Electoral Rolls.

The printing of the House of Assembly rolls, which contain the names, &c., of 89,109 electors, costs about £550, and the Legislative Council rolls, with a total of 21,355 names, cost about £200. The rolls are set up at the Government Printing Office.

The Returning Officers receive a yearly allowance of 8s. per 100 names in the case of the Assembly, and 10s. per 100 names in the case of the Council for the work of keeping and revising the rolls, the total expenditure under this head being approximately £500 per annum.

Cost of Elections.

The cost of a General Election for the House of Assembly is roughly £640 1s. 1d. as the attached return will show.

There is no General Election for the Legislative Council. Members are elected for six years, and there is a system of retirements under which a certain number of members are elected in May of each year. The cost of such elections is practically the same as for the Assembly.

The total electoral expenditure in connection with the State Parliamentary Elections is borne by the Government.

HOUSE OF ASSEMBLY.

District.	Number of electors.	Number of Members.	Number of Polling Places.	Cost of Election.		
				£	s.	d.
Burnie	2,601	1	10	17	9	6
Cambria	2,274	1	15	25	13	1
Cumberland	2,156	1	12	2	2	0
Deloraine	2,472	1	8	19	8	6
Devonport	3,035	1	5	8	9	9
Fingal	2,391	1	13	20	2	3
Franklin	2,062	1	9	2	2	0
George Town	2,599	1	4	15	6	0
Glenorchy	2,796	1	4	13	11	6
Hobart, Central	3,290	1	1	8	18	6
„ East	2,429	1	1	11	0	6
„ North	2,722	1	1	8	12	4
„ South	2,994	1	2	11	3	0
„ West	2,733	1	1	9	7	0
Kentish	2,413	1	8	2	2	0
Kingborough	2,478	1	12	2	2	0
Latrobe	2,088	1	11	2	2	0
Launceston, Central	2,474	1	1	10	6	6
„ East	2,633	1	2	15	3	9
„ North	2,489	1	2	10	18	0
„ West	3,229	1	1	8	4	6
Longford	2,255	1	10	20	5	9
Lyell	1,991	1	6	15	15	6
Monmouth	2,203	1	12	2	2	0
New Norfolk	2,416	1	6	33	5	0
North Esk	2,249	1	13	36	15	3
Queenborough	3,020	1	7	16	9	0
Queenstown	2,515	1	1	12	16	6
Ringarooma	2,877	1	13	23	2	0
Sorell	2,480	1	15	2	2	0
Waratah	2,021	1	10	18	19	1
Wellington	2,984	1	9	45	1	6
Westbury	2,361	1	8	16	10	0
West Devon	2,537	1	8	2	2	0
Zeehan	2,852	1	2	15	7	9
Miscellaneous and petty expenses	—	—	—	155	2	1
				640	1	1

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TASMANIA.

1901.

ANNO PRIMO EDWARDI VII. REGIS,

No. 57.

AN ACT to regulate the Election of Members of the Parliament of Tasmania. A.D. 1901.

[Reserved, 8 January, 1902; Royal Assent proclaimed, 28 April, 1902.]

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PART IV.

MODE OF ELECTION.

The Writ.

Governor to issue Writs for Elections.

62. The writ for the election of any Member to serve in the Parliament of Tasmania for any District shall be issued by the Governor, directed to the Returning Officer of such District, and shall be returnable on or before the day named therein, such day not being more than forty days from the date thereof.

Particulars to be specified in Writ.

63. Every writ directed to a Returning Officer shall specify the following particulars:—

(i.) The period within which candidates may be nominated for election at such election;

(ii.) The principal polling place for the purposes of such election.

(iii.) The day for taking the poll at the different polling places in the event of the election being contested;

(iv.) The day on which the writ is made returnable by the Governor.

Period for Nomination.

64.—(1.) The commencement of the period within which candidates may be nominated for election at any election shall not be less than three days, nor more than six days, after the writs shall have been issued for such election.

Day for taking Poll.

(2.) The duration of such period shall not be less than three days, nor more than eight days, from the commencement of such period, and shall expire at four o'clock in the afternoon of the last day named in the writ for such purpose.

(3.) The day for taking the poll at the different polling places, in the event of any election being contested, shall not be less than four days, nor more than twelve days, from the last day of the period of nomination.

Form of Writs.

65. All such writs may be framed in any manner and form which is sufficient for carrying the provisions of this Act into effect.

When Writ may be issued in Council Elections.

66. For the purposes of the periodical election of Members of the Council, the writ for every such election may be issued before the Members to retire by rotation shall have retired.

Issue of Writs for Council postponed in certain cases.

67.—(1.) In the event of any vacancy occurring in the Council, at any time within three months immediately preceding the day for holding the periodical election of Members of the Council, and before the writ is issued for such periodical election, a writ for the return of a Member to fill the said vacancy in the Council shall not be issued until the day upon which the writs for the said periodical election shall be issued, anything to the contrary in this Act contained, notwithstanding; and the election of a member to fill such vacancy shall be held on the day appointed for such periodical election.

(2.) In case of any such vacancy occurring in the Council at any other time, the writ shall be issued within seven days after the happening of such vacancy.

When Assembly dissolved, new Writs to be returnable within 60 days.

68.—(1.) The writs for the election of the Members of the Assembly for a General Election shall be issued within a period of twenty days, and shall be made returnable to the Governor within the period of sixty days, after the Assembly ceased to continue or was dissolved.

(2.) In case of any vacancy occurring in the Assembly the writ shall be issued within seven days after the happening of such vacancy.

When Assembly dissolved, Poll for all Districts taken same day.

69. Whenever the Assembly shall cease to continue, or shall be dissolved, the poll for all the Assembly Districts shall be taken on the same day.

Period between dissolution and meeting of Parliament.

70. Not more than ninety days shall elapse between the dissolution of the Assembly and the next meeting of the Parliament of Tasmania.

Returning Officer to give notice of Writ. Schedule (9).

71. The Returning Officer of each District shall endorse on the writ the day on which he received it, and shall also forthwith, on receipt of such writ, publish a notice in the form and containing the particulars specified in the Schedule (9) in the "*Gazette*," and in one newspaper published in Hobart, and in one newspaper published in Launceston, and in one newspaper generally circulating in the District.

Nominations.

Mode of nomination. Schedule (10).

72.—(1.) Any two or more electors of any District may at any time during the period of nomination for any election for such district named in the writ, nominate under their hands, in the form of the Schedule (10), stating the particulars therein mentioned, any person named and described in such nomination, as a candidate at such election.

(2.) At the foot of such nomination there shall be a statement under the hand of the person nominated, in the form of the Schedule (10), declaring the consent of such person to become a candidate at such election.

(3.) Such nomination, together with the consent thereon, shall be delivered to the Returning Officer.

Deposit of money to be made by Candidates.

(4.) At the time of the nomination to the Returning Officer of any person as a candidate for any election for any Electoral District, or at any time during the period of nomination, there shall be paid to the Returning Officer by or on behalf of every person nominated the sum of twenty-five pounds, in gold, banknotes, or marked or bank cheque, to be dealt with as hereinafter provided; and no person by or for whom or on whose behalf such payment shall not have been so made shall be or be deemed to be a candidate at any election.

(5.) No other person than those so nominated and consenting as aforesaid, and by or for whom, or on whose behalf such sum as is herein mentioned has been paid, shall be eligible to be elected at such election.

Provided that, in the event of any person so nominated being absent from the State at the time of such nomination, no such written consent shall be necessary.

Mode of proceeding if only One person nominated.

73. If at any election, other than the periodical election of Members of the Council, there is only one Candidate so put in nomination, the Returning Officer, upon the closing of the period of nomination, shall at the principal polling place declare the Candidate so nominated to be duly elected, and shall make his return accordingly.

Mode of proceeding if only one person nominated at Periodical Election.

74. If at any such periodical election hereinbefore mentioned only one Candidate is put in nomination, the Returning Officer, upon the day appointed for taking the poll for such election, shall at the principal polling place declare the Candidate so nominated to be duly elected, and shall make his return accordingly.

The Poll.

75. In the event of more than one Candidate being so put in nomination as aforesaid at any election, a poll shall take place at the different polling places for the District on the day appointed in the writ for that purpose, in order to ascertain which of the Candidates so put in nomination shall be declared elected.

Publication of names of Candidates and Nominators.

76.—(1.) In the event of more than one Candidate being nominated, then the Returning Officer shall, so soon as may be after the expiration of the period of nomination, and until and on the day of election, cause to be published in the District a placard containing the names

and descriptions of all Candidates so nominated as aforesaid, in alphabetical order, and the names and descriptions of their nominators respectively, not exceeding five in number.

(2.) Such placard shall have the name of the returning officer affixed at the foot thereof.

(3.) A copy of such placard shall also be advertised by the Returning Officer in one newspaper generally circulating in the District.

(4.) Such placard shall also contain the names of the polling places for the District at which the poll will be taken, and the date for taking such Poll.

(5.) The Returning Officer shall cause one or more of such placards to be placed on the day of election in each room of each polling place, and also in some conspicuous position on the outside of each polling place.

Scrutineers.

77.—(1.) Each Candidate may appoint one Scrutineer, and no more, to represent him at each polling place at the election.

(2.) Each Scrutineer shall be entitled to be present in the room in which the ballot papers are received, shall remain in such room while the poll is being taken, and shall not leave such room except by the express permission of the Returning Officer.

Scrutineer's Declaration. Schedule (11).

(3.) Each Scrutineer shall, before acting as such, make and subscribe, in the presence of the Returning Officer or a Deputy Returning Officer, a declaration in the form contained in the Schedule (11).

Persons nominating may appoint Scrutineers in default of Candidate.

78. The power of appointing scrutineers may, in default of appointment by any Candidate who has been nominated without his consent, be exercised by any two of the persons nominating such Candidate.

No Elector employed for reward to be entitled to vote.

79. No elector who, within six months before or during any election, shall have been retained, hired, or employed for all or any of the purposes of the election for reward by or on behalf of any Candidate at any election held under this Act as Scrutineer, or in other like employment, shall be entitled to vote at such election.

Returning Officer to preside at one Polling-place, and appoint Deputies to preside at others.

80. The Returning Officer shall preside at the principal polling place, and shall appoint a Deputy to act for him and take the poll at each of the other polling places; and such Deputy shall be appointed by writing under the hand of the Returning Officer.

Deputy Returning Officer's Declaration Schedule (12).

81. Each Deputy Returning Officer shall, before the day of poll at any election, make and subscribe before the Returning Officer or some Justice of the Peace a declaration in the form contained in the Schedule (12).

Ballot papers.

82.—(1.) The Chief Electoral Officer shall, before and in time for the poll at any election, forward to the Returning Officer of the Electoral District for which the election is about to take place a sufficient number of ballot papers.

(2.) The Returning Officer shall supply to each Deputy Returning Officer a sufficient number of ballot papers for the use of the electors who may vote at the polling place at which the Deputy Returning Officer is appointed to preside.

(3.) Such ballot papers shall contain the names of all persons duly nominated as Candidates at such election, arranged alphabetically in the order of their surnames, according to the form in the Schedule (13).

Schedule (13).

(4.) If there are two or more Candidates of the same surname their surnames shall be printed according to the alphabetical order of their Christian names, or if their Christian names shall also be the same, then according to the alphabetical order of their residences arranged and stated on the ballot paper.

(5.) Every ballot paper shall be headed with the name of the Electoral District.

(6.) No ballot paper shall contain anything beyond the heading above provided for, and the surnames and Christian names of the Candidates, and, in the case provided for by Subsection (4) of this Section, the residences.

(7.) Such ballot papers shall be signed or stamped on the back thereof by the Chief Electoral Officer and by the Returning Officer before being issued to the electors.

83.—(1.) At every election the Returning Officer—

Returning Officer to provide rooms at each Polling place; and writing materials;

(i.) Shall cause rooms to be hired or otherwise obtained at each polling place as occasion requires; and the same shall be so divided and arranged as to the Returning Officer seems best adapted for carrying out the provisions of this Act, but so that at each polling place there shall be as many inner rooms or compartments as may be necessary, opening only into the room in which the ballot box is kept, and sufficiently supplied with writing materials, in which the persons voting shall be enabled to mark or fill up the ballot papers as hereinafter provided, in perfect secrecy, and with perfect security from interruption;

and copies of Electoral Roll;

(ii.) Shall cause to be furnished for the use of each polling place a sufficient number of copies of the electoral roll of the District, and shall under his hand certify such copies to be true;

and Ballot boxes;

(iii.) Shall provide for each polling place a sufficient number of ballot boxes, with secure locks, and with apertures through which the ballot papers are to be put into such ballot boxes; and

and appoint Polling Clerks.

(iv.) Shall appoint such Poll Clerk or Clerks for each polling place as may be necessary.

(2.) No part of any premises licensed for sale of liquor shall be used for the purposes of any polling place.

Election to be held before Returning Officer and Deputies. Hours of voting.

84. The election at each polling place shall be held before the Returning Officer or Deputy Returning Officer; and the voting at such election shall commence at eight o'clock in the forenoon and shall finally close at six o'clock in the evening of the same day, unless adjourned by reason of riot or interruption as hereinafter provided.

Provided that every elector who is within the room in which the Returning Officer or Deputy Returning Officer is presiding at six o'clock in the evening, and who has not voted, shall be allowed to vote.

Ballot box to be exhibited and sealed.

85. The Returning Officer or the Deputy Returning Officer, as the case may be, shall immediately before the commencement of the voting at any election exhibit the ballot box open and empty to such of the Scrutineers as choose to attend, and in their presence shall then securely fasten and seal such ballot box, which seal shall not be broken until the ballot box is opened after the election as is hereinafter provided.

Where Electors may vote.

Schedule (15).

86. Each elector shall vote at the polling place allotted to him on the electoral roll; provided that any elector may vote at any Polling place for the same District other than the one allotted to him upon making the oath or declaration prescribed in Schedule (15) of this Act, which oath or declaration shall be administered by the Returning Officer or Deputy Returning Officer.

Mode of voting.

87. Voting at every election under this Act shall be conducted in the manner following:—

(1.) Each elector shall enter unattended into the room in which the ballot box is kept; and shall first sign his name, or place his mark opposite to his name, upon a certified copy of the electoral roll; and the Returning Officer or Deputy Returning Officer presiding at the polling place shall then check or mark off upon a certified copy of the roll such elector's name as having voted, and shall then deliver a ballot paper to the elector, who shall immediately take such ballot paper into one of the inner rooms or compartments provided for the purpose, and shall there, alone and secretly and without delay, record his vote in the manner hereinafter described.

(2.) The elector shall expunge the name or names of the Candidate or Candidates for whom he does not intend to vote, so that he leaves only one name not struck out; and if he leaves the name of more than one candidate not struck out, such ballot paper shall be invalid.

(3.) As soon as the elector has marked the ballot paper as hereinbefore directed he shall fold up the ballot paper in such manner that the signature or stamp of the Chief Electoral Officer and the Returning Officer shall appear on the outside of the folded ballot paper, and shall immediately take the same into the room in which the ballot box is kept, and, after exhibiting to the Returning Officer the signature or stamp on the back of such ballot paper, shall place the ballot paper in the ballot box; and immediately the elector has so placed his ballot paper in the ballot box he shall leave the room, and shall not re-enter during the same election.

(4.) No person shall take any ballot paper out of the room in which the ballot box is kept, excepting into the said inner room or compartment, and then only for the purpose of recording his vote as hereinbefore directed.

(5.) No person other than the elector who is for that time tendering his vote shall be entitled to be present in the inner room or compartment in which the ballot papers are marked or filled up by the electors.

(6.) In the case of any elector who is blind or otherwise physically incapacitated from voting, or is unable to read the names of the Candidates on the ballot paper, the Returning Officer or Deputy Returning Officer presiding at the polling place shall write such elector's name in the elector's signing-place on the certified copy of the electoral roll, and attest the same under his hand, and openly in the ballot room, in the presence of any Scrutineers who may be present, record the vote of such elector upon the ballot paper, in the manner herein required, in accordance with such elector's instructions.

(7.) If any elector satisfies the Returning Officer or Deputy Returning Officer presiding at the polling place before his ballot paper is deposited in the ballot box that he has spoilt such ballot paper by mistake or accident, he may, on giving it up, receive a new ballot paper from the Returning Officer or Deputy Returning Officer, who shall there and then write across the spoilt ballot paper the word "cancelled."

Errors not to forfeit vote.

88. No omission of any Christian name, nor entry of a wrong Christian name, nor mistake where it sounds the same in the spelling of any surname, or misdescription of the locality, or description of the qualification in any electoral roll, shall warrant the rejection at any election of any elector's right to vote if the elector or locality are sufficiently identified to the satisfaction of the Returning Officer or Deputy Returning Officer presiding at the polling place at which such elector desires to vote.

No inquiry at Elections except questions set forth in Schedule (14).

89. (1.) No inquiry shall be permitted at any election as to the right of any person to vote, except that the Returning Officer or Deputy Returning Officer shall, if he thinks fit, or if required by any Scrutineer, put to any person tendering himself as an elector, before or at the time the ballot paper is delivered to him, and not afterwards, the questions contained in the Schedule (14) or either of them, and no other.

Oaths to be administered to Electors.

Schedule (15).

Schedule (16).

90.—(1.) The Returning Officer or Deputy Returning Officer shall, if he thinks fit, or if required by any Scrutineer, at the time aforesaid, administer an oath to any person so claiming to vote, in relation to his identity, and to his having previously voted, in the form in the Schedule (15); and the Returning Officer or Deputy Returning Officer shall likewise, if he thinks fit, or if required by any Scrutineer, administer the oath against bribery in the form in the Schedule (16).

Persons not entitled to vote unless questions answered or oaths taken.

(2.) No person so required to answer either of such questions or take any such oath as aforesaid, shall be qualified or permitted to vote until he has answered such question, or taken such oath.

(3.) No elector shall at any election be required to take any oath, except as aforesaid, in proof of his right to vote, or otherwise.

No other Oaths to be taken.

(4.) No person claiming to vote at any such election shall be excluded from voting thereat unless the Returning Officer, or Deputy Returning Officer, upon putting such questions as aforesaid, or either of them, is satisfied that the person so claiming to vote is not the person

whose name appears on the electoral roll, or that he has previously voted at the same election, or except by reason of such person refusing to answer the questions or take the oaths aforesaid, or any of them.

Adjournment of Election in case of riot.

91. Where the proceedings at any election are interrupted or obstructed by any riot or open violence, the Returning Officer or Deputy Returning Officer, as the case may be, shall not for such cause finally close the poll, but shall adjourn the taking the poll at the particular polling place at which such interruption or obstruction has happened until the following day, and if necessary shall further adjourn such poll until such interruption or obstruction has ceased, when the Returning Officer or Deputy Returning Officer, as the case may be, shall again proceed with the taking the poll at the polling place at which the same has been interrupted or obstructed; and whenever the poll has been so adjourned by any Deputy Returning Officer, such Deputy shall forthwith give notice of such adjournment to the Returning Officer, who shall not finally declare the state of the poll or make proclamation of the Member chosen until the poll so adjourned at such polling place as aforesaid has been finally closed, and the abstract of the poll and the ballot papers delivered or transmitted to such Returning Officer.

Absent Voters.

Certificate to absent voter. Schedule (17).

92. Any elector having reason to believe that he will, on polling day, be more than five miles from the polling place at which he ought to vote, may, after the issue of the writ, apply to the Returning Officer for an Absent Voter's Certificate in the form set forth in Schedule (17).

Certificate and Voting paper, Schedules (18) and (19).

93. The Absent Voter's Certificate in the form in Schedule (18) shall be delivered or posted to the elector, together with an Absent Voting Paper in the form in Schedule (19), with a counterfoil attached, and also an envelope duly addressed to the Returning Officer at the chief polling place.

Returning Officer to initial voting papers.

94. The Returning Officer shall sign or stamp his name upon all Absent Voting Papers issued, and shall keep and number the applications in consecutive order, writing the corresponding number on the counterfoil of the voting paper.

How vote recorded.

95. In the presence of a postmaster, and of no other person, the elector shall record his vote as follows:—

(i.) By exhibiting the voting paper unmarked and in the condition in which it was issued;

(ii.) By writing on the inside of the voting paper the name of the Candidate for whom he votes, but so that the Postmaster shall not see such name;

(iii.) By signing his name on the counterfoil;

(iv.) By presenting the voting paper folded up to be witnessed and stamped;

(v.) By enclosing the voting paper witnessed and stamped, together with the Absent Voter's Certificate, in the envelope addressed to the Returning Officer, and, having closed such envelope, immediately handing it to the Postmaster for posting.

Postmaster to stamp letter.

96. It shall be the duty of the Postmaster to immediately witness and stamp with the letter stamp of the date any voting paper presented for witnessing and stamping, and to immediately post any envelope handed to him for posting, and on no account to look at the names of the Candidates for which the elector votes.

Returning Officer to notify issue of Certificate.

97.—(1.) The Returning Officer shall note on the electoral roll all Absent Voters' Certificates issued; and no elector who has received any such certificate shall be entitled to vote at any polling place unless he shall have delivered up his certificate to the Returning Officer to be cancelled two days before the day of the poll.

(2.) In case an Absent Voter's Certificate is issued after the certified copy of the electoral roll has been sent to any Deputy Returning Officer, the Returning Officer shall immediately advise the Deputy Returning Officer of such issue in such manner as he may think fit.

Letters to be produced at scrutiny.

98. At the scrutiny the Returning Officer shall produce unopened all Absent Voters' envelopes received up to the close of the poll, and at the scrutiny the envelopes shall be opened in the presence of the scrutineers present, and shall be dealt with as follows:—

(i.) The Returning Officer shall produce the Absent Voters' applications;

(ii.) The Returning Officer, without unfolding the voting paper or allowing it to be inspected, shall compare the signature of the elector with the signature of the elector to the application and allow the scrutineers to inspect the same, and shall determine whether the signature on the voting paper is that of the applicant;

(iii.) If the vote is allowed the Returning Officer shall tear off the counterfoil bearing the signature of the elector, and insert folded the voting paper in the ballot box;

(iv.) If the Returning Officer shall reject the voting paper, then the certificate and voting paper shall be preserved by the Returning Officer for production at the Supreme Court upon the hearing of any petition that may be held on or about such election, the voting paper being at once sealed up without being unfolded or inspected;

(v.) Voting papers so allowed shall be placed in a ballot box by themselves, and when they have all been inserted, the casting up of the votes shall commence;

(vi.) No voting paper shall be counted at the scrutiny which shall not be duly witnessed and stamped.

Returning Officer to decide.

99. The decision of the Returning Officer as to the allowance or disallowance of any absent vote, shall be subject only to review by the Supreme Court upon the hearing of any election petition.

Mistakes.

100. It shall suffice, where no two Candidates have the same surname, for the absent elector to write the surname only of the Candidate for whom he votes; and any mistake in spelling of the surname where it sounds the same, or where the intention is clear, shall not void the vote.

The Scrutiny.

Deputy Returning Officer to transmit ballot papers to Returning Officer.

101. The Deputy Returning Officer of each polling place shall, as soon as practicable after the close of the poll, and in the presence of such of the scrutineers as choose to be present—

(i.) Open the ballot boxes and count the votes given for each candidate, and shall immediately thereafter make out and sign an abstract showing the total number of votes recorded, and the number of votes given for each candidate at that polling place;

(ii.) Shall then make up the ballot papers taken from the ballot box into a separate parcel, sealed with his own seal and the seals of such Scrutineers as desire to affix their seals, and shall transmit to the Returning Officer such parcel so sealed as aforesaid, and shall also transmit at the same time to the Returning Officer in separate parcels securely fastened—

(*a*) The unused and spoilt ballot papers;

(*b*) The certified copies of rolls supplied to the said Deputy Returning Officer on which the fact of any person having received a ballot paper has been noted; and

(*c*) An account in which such Deputy Returning Officer shall charge himself with the number of ballot papers originally delivered to him, the number thereof delivered to and used by voters, and the number not so delivered or left unused, and the number set aside for separate custody (which account is hereinafter referred to as the ballot paper account).

Every such ballot paper account shall be verified as well by the signatures of the said Deputy Returning Officer and the Poll Clerk (if any) as also by the signatures of such of the Scrutineers as shall be present and shall consent to sign the same;

Deputies to indorse parcels.

(iii.) Shall severally indorse such parcels as aforesaid with a description of the contents thereof, and with the name of the District, the name of the place of polling, and the date of the polling, and sign with his name the said indorsement.

Returning Officer to count Votes.

102. The Returning Officer shall, as soon as practicable after the close of the poll, and in the presence of such of the Candidates and such of the Scrutineers for each Candidate as may desire to be present—

(i.) Open the ballot box used at the principal polling place, and all the sealed parcels of ballot papers received by him from the several Deputy Returning Officers;

(ii.) Count the votes given at all the polling places for the District, and shall make out and sign an abstract of the result of the poll;

and declare state of Poll.

(iii.) As soon as may be practicable after he has counted all the votes, openly, at the principal polling place, declare the name of such person who has been duly elected at such election;

(iv.) The name of the person so elected, together with the date of election, shall be inserted in or endorsed on the writ by the Returning Officer, and such writ shall be returned to the Governor within the time for that purpose specified therein;

(v.) In the event of the number of votes being found to be equal for any two or more Candidates, decide, by his casting vote, which of the said Candidates shall be elected.

Returning Officer has casting vote only, but Deputy Returning Officer may vote.

103.—(1.) No Returning Officer shall vote at any election for the Electoral District of which he is the Returning Officer except in the case of an equality of votes as aforesaid.

(2.) Any Deputy Returning Officer may vote at any election for the Electoral District for which he is registered as an elector in like manner as if he had not been appointed and acted as Deputy Returning Officer for such Electoral District.

(3.) If any Deputy Returning Officer desires to vote at any polling place for the District other than the one allotted to him in the electoral roll, he may make the oath or declaration prescribed in Schedule (15) before any Justice of the Peace.

Ballot papers marked, defaced, &c., to be rejected.

104. The Returning Officer, in ascertaining the state of the poll from the ballot papers taken at the several polling places at any election, shall reject as invalid every ballot paper—

(i.) Which is written upon, defaced, or marked in any way by which the votes can be identified;

(ii.) Which has not the official signatures or stamps on the back thereof;

(iii.) Which has not the names of all the Candidates, except one, expunged.

Ballot papers, &c., to be sealed up and transmitted to the Clerk of the House for which the Member is elected;

105. All ballot papers, valid or invalid, which have been used at the election of a Member of the Council, together with all the ballot paper accounts of the Deputy Returning Officers, the certified copies of the electoral roll used at such election, and the abstract of the result of the poll, shall be sealed up by the Returning Officer and transmitted to the Clerk of the Council.

All ballot papers, valid or invalid, which have been used at the election of a Member of the Assembly, together with all such ballot paper accounts, certified copies of the electoral roll, and abstract as aforesaid, shall be in like manner sealed up by the Returning Officer and transmitted to the Clerk of the Assembly.

and kept for three years;

The said Clerks shall severally safely keep the same for the period of three years from the receipt thereof.

The sealed packets containing the same shall on the outside thereof be described to be the election papers of the elections to which they respectively relate, specifying in each case the Electoral District and the date of the election, and be signed by the Returning Officer.

In case any question at any time arises touching any election, such papers, or any of them, relating to such election shall, upon production thereof, and proof either by evidence, or by a certificate thereon under the hand of the Clerk for the time being of the Council or Assembly, as the case may be, that the same came to and then were in his custody as such Clerk, be received in evidence in the Supreme Court and in any Court of Justice in this State. and produced in the Supreme Court and in Court of Justice.

106. The Returning Officer shall pay to each Candidate, or to the person or persons who made the deposit, with the nomination of such Candidate, all moneys paid by or for such Candidate as soon as conveniently may be— Appropriation of money deposited with Nomination.

(i.) After the period of nomination closes, if there is not more than one Candidate nominated;

(ii.) After the declaration of the poll, if there are more Candidates than one nominated;

unless such Candidate has failed to receive at the election—

A number of votes equal at least to one-fourth part of the votes received by the successful Candidate,

in which case the Returning Officer shall apply such moneys in and towards defraying the necessary expenses of all such acts and things relating to such election as he may reasonably and properly do or provide; and the balance of such moneys, if any, shall be paid into the Consolidated Revenue Fund.

107. Every Returning Officer shall keep a separate account for each election held by him of all moneys received and expended or repaid by him as aforesaid at and about such election; and shall, not less than three or more than six months after the declaration of the poll at such election, forward to the Auditor-General a copy of such account certified under his hand, together with all receipts, accounts, and vouchers relating to the same; and the said Auditor shall forthwith examine and compare the same respectively, and if the said account is found correct, the said Auditor shall sign the same in token of his allowance thereof; and for the said purposes the Auditor-General shall have all the powers conferred upon him by "The Audit Act, 1901." Separate accounts to be kept of such moneys, and copy sent to Auditor-General. 1 Edw. VII. No. 15.

Part V.

Election Expenses.

108.—(1.) No person shall, before or during the election, for the purpose of promoting or procuring the election of a Candidate at any election held under this Act, be engaged or employed for payment or promise of payment for any purpose or in any capacity whatever, except for any purposes or capacities mentioned in the Schedule (20). Certain employment to be illegal. Schedule(20).

(2.) No electoral expense shall be incurred by or on behalf of a Candidate except in respect of the matters mentioned in Part I. of the Schedule (21) hereof, and no electoral expense before, during, or after such election, by or on behalf of a Candidate shall be in excess of any maximum amount in that behalf specified in Part II. of such Schedule (21). Limit on Candidate's expenditure. Schedule(21).

109. Every payment made by any Candidate, or on his behalf, in respect of any electoral expense shall, except where less than forty shillings, be vouched for by a receipted bill stating the particulars. Payments exceeding forty shillings to be vouched for.

110.—(1.) Within thirty days after the day on which the declaration of the poll shall take place, every Candidate at that election shall transmit to the Returning Officer of the District a true return in the form in Schedule (22) to this Act, or to the like effect, containing, as respects the Candidate— Candidates to transmit an account of election expenses. Schedule(22).

(i.) A statement of all electoral expenses, together with all bills and receipts respecting the same;

(ii.) A statement of all disputed and unpaid claims of which the Candidate is aware.

(2.) The return so transmitted to the Returning Officer shall be accompanied by a declaration made by the Candidate before a Justice of the Peace in the form set forth in Schedule (23) of this Act. Schedule(23)

111. Where the return and declaration have not been transmitted by a Candidate or, being transmitted, contain some error or false statement, then, if the Candidate applies to a Judge of the Supreme Court in Chambers, who is hereby authorised to inquire into the matter, and shows that the failure to transmit such return and declaration, or either of them, or any part thereof, or any error or false statement therein, has arisen by reason of his illness, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on his part, then such Judge may make such Order permitting such accounts to be transmitted or to be corrected, as to the Judge seems just, and may acquit such Candidate of an illegal practice. Excuse for non-compliance with provision as to Return and Declaration.

112. The return and declaration (including the accompanying documents) sent to the Returning Officer shall, at all reasonable times during three months next after they are received, be open for inspection by any person, on payment of a fee of two shillings; and the Returning Officer shall, at any time during which such return is open for inspection, furnish copies thereof, or any part thereof, at the price of sixpence for every seventy-two words. Return open to inspection

113. All persons, who have any bills, charges, or claims upon any candidate for or in respect of any election, shall send in such bills, charges, or claims to such Candidate, within one month from the day of the declaration of the poll, otherwise such persons shall be barred of their right to recover such claims, or any part thereof. Bills to be sent in with in One month to Candidate or right to recover barred.

Provided always, that in case of the death within the said month of any person claiming the amount of such bill, charge, or claim, the legal representative of such person shall send in such bill, charge, or claim within one month after obtaining probate or letters of administration, or confirmation as executor, as the case may be, or the right to recover such claim shall be barred as aforesaid.

No person to pay expenses of Elections except to Candidate.

114. No person shall pay or agree to pay any expenses at any election, or any sum of money whatever, in order or with a view to procure or promote the election of any person to serve in Parliament save to the Candidate at such election, other than as excepted and allowed by this Act.

Every person who pays or agrees to pay any such expenses or money as aforesaid, save as aforesaid, shall become liable to a penalty of fifty pounds, and double the money so paid or agreed to be paid, to be recovered in an action of debt by anyone who sues for the same:

Provided that, if upon the trial of any action to recover any such penalty or penalties it appears to the Judge who tries the same that any such payment has been made or agreed to be made without any corrupt or improper intention, the Judge may, if he thinks fit, reduce such penalty or penalties to any sum not less than two pounds, and may also, if he thinks fit, direct that the plaintiff shall not be entitled to costs of such action.

Expenses of Candidate nominated without his consent.

115. In case any person is nominated as a Candidate at any election without his previous authority and consent, the persons nominating such Candidate shall be liable to pay, and shall pay, the lawful expenses of the election of such Candidate, in like manner and upon the same terms and conditions as by this Act provided concerning the payment of election expenses by a Candidate at such election.

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TASMANIA.

1904.

ANNO QUARTO EDWARDI VII. REGIS. No. 1.

AN ACT to amend "The Electoral Act, 1901."

[April 21, 1904.]

* * * * * * *

Amendment of Sec. 87 (1.) of 1 Edw. VII., No. 57.

4. The words "and shall first sign his name, or place his mark opposite to his name, upon a certified copy of the electoral roll" in the second and third line of Sub-section (1) of Section Eighty-Seven of the said Act are hereby expunged.

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No. 13.

NEW ZEALAND.

THE GOVERNOR to THE SECRETARY OF STATE.

(Received July 18, 1907.)

MY LORD, Government House, Wellington, New Zealand, June 10, 1907.

I HAVE the honour to acknowledge your despatch of the 31st March, 1906, on the subject of the machinery and cost of elections in this Colony.

2. Your Lordship's despatch was duly submitted to my Ministers, and I much regret the long delay that has occurred in forwarding you a reply.

3. The elections of Members of the House of Representatives of New Zealand are conducted by officials appointed by the Governor, as provided by Sections 30, 31 and 89 of "The Electoral Act, 1905," of which I enclose copies.

4. The cost of administration of this Act, including the cost of conducting the elections, is paid by the Colony, as provided by Section 228.

5. The cost of the last General Election (December, 1905) was £20,185. This amount is exclusive of the cost of preparing and printing the electoral rolls, £22,804.

I have, &c.,

PLUNKET,

Governor.

Enclosure in No. 13.

NEW ZEALAND.

THE ELECTORAL ACT, 1905.

ANALYSIS.

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[27th October, 1905.]

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PART III.

REGULATION OF ELECTIONS.

General Elections.

89.—(1.) The Governor shall from time to time, by Warrant under his hand, appoint some fit person to be Clerk of the Writs, by whom writs for the election of members of the House of Representatives shall in all cases be issued, and to whom such writs shall also be returnable. Appointment of Clerk of the Writs.

(2.) There shall be a deputy of the said Clerk, to be appointed in like manner, who shall act when the said Clerk is unable to act.

90.—(1.) For every general election the Governor shall, not later than seven days after the day of the dissolution or expiry of the then last Parliament, as the case may be, by Warrant under his hand in the form numbered (12) in the first schedule hereto, direct the Clerk of the Writs to proceed with the elections. Writs for general election to issue within seven days after dissolution.

(2.) On the receipt of such warrant the Clerk of the Writs shall within three days cause writs to be issued to the several returning Officers, in the form numbered (13) in the first schedule hereto. Clerk of Writs to issue writs to Returning Officers of districts.

(3.) Such writs shall be made returnable within twenty-one days.

(4.) In such writs a day shall be named for the polling to take place (if a poll is required), and the same day for the polling shall be appointed in each writ.

By-elections.

91.—(1.) Where during a recess of the House, whether by prorogation or adjournment, it appears to the Speaker that the seat of any member has become vacant, he shall cause a notice of such vacancy, and of the cause thereof, to be published in the "Gazette." Vacancy during recess to be gazetted.

(2.) Where such vacancy arises from death or resignation the Speaker shall issue his warrant to the Clerk of the Writs forthwith, directing him to issue a writ to supply the vacancy.

(3.) Where such vacancy arises from any cause other than death or resignation, then as soon as conveniently may be after the expiration of ten days after such notice has appeared in the "Gazette," the Speaker, on its being established to his satisfaction that a vacancy does exist, shall issue his warrant to the Clerk of the Writs directing him to issue a writ to supply the vacancy. Ten days thereafter Speaker to direct issue of writ.

(4.) Where a vacancy exists at the commencement of any session and no writ has been issued to supply the same, or if a vacancy occurs during a session, the Speaker shall forthwith, upon being ordered to do so by the House, issue his warrant to the Clerk of the Writs directing him to issue a writ to supply the vacancy. During session Speaker by warrant directs issue of writ.

When no Speaker, Governor to act in lieu of Speaker.

92. Where a vacancy occurs at a time when there is no Speaker, or the Speaker is absent from New Zealand, the Governor shall cause a like notice to be inserted in the "Gazette" and the like proceedings to be taken as are provided for in the last preceding section.

No writ to issue pending decision on election petition.

93. If after a petition has been presented against the return of any member his seat becomes vacant on any of the grounds mentioned in section twenty-one hereof, no writ to supply the vacancy shall be issued until after the petition is disposed of, and not then if the Judges trying the petition determine that such member was not duly elected or returned, and that some other person was duly elected or returned.

Clerk of Writs to issue writ.

94.—(1.) On receipt of a warrant the Clerk of the Writs shall forthwith cause a writ to be issued to the Returning Officer of the district in which the vacancy has occurred, in the form numbered (13) in the first schedule hereto.

(2.) Such writ shall be made returnable within twenty-one days.

Issue of the Writs.

Clerk of Writs to notify issue of writ to all Registrars in districts.

95. The Clerk of the Writs shall forthwith on the signing of a writ for an election to be held in any district cause a notice of the issue of such writ to be sent by letter or telegram to the Registrar of the district.

Returning Officer to give notice of election day.

96.—(1.) Every Returning Officer shall, on the receipt of a writ, indorse thereon the date of such receipt, and shall forthwith give at least ten days' public notice of the day of polling, in the form numbered (14) in the first schedule hereto.

(2.) The said ten days shall be inclusive both of the first day on which the notice is published and of the day of polling.

Nominations.

Candidate to be nominated by two electors.

97.—(1.) Any man qualified as provided in section fourteen hereof may, with his consent, be nominated as a candidate for election for any district, by not less than two electors of that district, by a nomination paper in the form numbered (15) in the first schedule hereto given or transmitted to the Returning Officer so as to reach him not later than five o'clock in the afternoon of the eighth day before the day appointed for the poll.

(2.) The consent of any man to be nominated may be signified to the Returning Officer by letter sent by post or affixed to the nomination paper, or by an ordinary message by telegraph, which shall be deemed to be delivered in time if delivered at the telegraph office for transmission within the time hereinbefore limited.

Candidates to be nominated by separate nomination paper.

(3.) Each candidate shall be nominated by a separate nomination paper, in such manner as, in the opinion of the Returning Officer, is sufficient to identify such candidate.

(4.) No elector may nominate more than one candidate.

(5.) Every nomination paper of a woman as a candidate shall be absolutely void and of no effect, and shall be rejected by the Returning Officer without question.

Objections to nominations.

(6.) No objection to a nomination paper on the ground of the description of the candidate being insufficient, or not being in compliance with this Act, shall be allowed or deemed valid unless such objection is made in writing, and delivered to the Returning Officer not less than five days before the day appointed for the poll.

Nominations to be advertised.

(7.) On receipt of every such nomination the Returning Officer shall immediately forward to the Chief Electoral Officer at Wellington by telegraph or other expeditious means the names of the several candidates nominated, and shall also advertise the same in some newspaper or newspapers circulating within the district in such manner as he deems most likely to give full publicity thereto.

(8.) The Chief Electoral Officer shall forthwith transmit by telegraph or other expeditious means to every Returning Officer the names of the candidates nominated in each district in which a poll is required to be taken.

Deposit by candidate.

98.—(1.) Every candidate, or some person on his behalf shall, at the time of sending to the Returning Officer his consent to be nominated, deposit with or remit to the said officer the sum of ten pounds, which sum shall be retained by the Returning Officer until after the official declaration of the poll.

(2.) If the total number of votes received by any unsuccessful candidate is less than one-fourth of the total number of votes received by the successful candidate, the deposit shall be forfeited and paid into the Consolidated Fund, but otherwise it shall be returned to the person who paid it.

Candidate may withdraw by notice to Returning Officer.

99.—(1.) Any candidate may withdraw, not later than five clear days before the day of polling, by giving or transmitting by letter to the Returning Officer a notice in the form numbered (16) in the first schedule hereto, signed by the candidate and attested by a Justice.

(2.) The Returning Officer shall forthwith publish such notice in such manner as he deems most likely to give full publicity thereto, and shall omit the name of every candidate whose name is withdrawn from the ballot papers to be printed as hereinafter mentioned, or, if such ballot papers are already printed, shall erase therefrom the name of every candidate so withdrawn.

(3.) The Returning Officer shall also forthwith notify the Chief Electoral Officer, by telegraph or other expeditious means, of the fact of such withdrawal.

(4.) A candidate giving such notice shall not be capable of being elected, and all votes given for him (if any) shall be void and of no effect.

(5.) Where a candidate duly withdraws, the sum deposited or remitted by him or on his behalf, as prescribed in the last preceding section, shall be returned to the person who paid it.

Where election not contested names of persons elected to be indorsed on writ, and writ returned.

100.—(1.) If only one candidate is nominated, or if any candidate who has been nominated withdraws in manner hereinbefore provided and there remains only one candidate, the Returning Officer shall, by public notice on or before the day appointed for taking the poll, declare that candidate to be duly elected.

(2.) The name of the person so elected shall be indorsed on the writ by the Returning Officer, and the writ shall be by him returned to the Clerk of the Writs forthwith.

Contested Elections.

If election contested a poll to be taken.

101. If more than one candidate is nominated, and a sufficient number do not withdraw so as to leave only one candidate, then a poll for deciding between such candidates shall take place at the several polling places of the district on the day named in the writ for that purpose.

Returning Officer to have ballot papers printed.

102.—(1.) Forthwith after the day of nomination the Returning Officer shall cause ballot papers to be printed, in the form numbered (17) in the first schedule hereto, in sufficient number for use in the district.

Form of ballot papers.

(2.) The ballot papers shall contain a list of all the persons nominated as candidates (each name being inserted once only, whether nominated in one of more nomination-papers), and of no other persons, arranged alphabetically in order of their surnames, in large characters, the Christian names of such candidates being added in lesser characters; and where two or more candidates have the same, or in any way similar, Christian names and surnames, they shall be distinguished upon such ballot papers by the addition of their residence and occupation, or such other addition as is sufficient to distinguish them.

In case of death before poll, or on polling day.

103.—(1.) If a duly nominated candidate, who has not withdrawn, dies after the day of nomination and before the polling day, the Returning Officer shall, upon being satisfied of the fact of such death, countermand notice of the poll.

(2.) If any such candidate dies upon the polling day before the hour of closing the poll, the Returning Officer, upon being satisfied of the fact of such death, shall immediately close the poll, and declare the same to be null and of no effect.

(3.) All proceedings with reference to the election, in either of such cases, shall be commenced afresh in all respects as if the writ had been received by the Returning Officer on the day on which proof was given him of such death:

Provided that it shall not be necessary to nominate afresh any candidate who at the time of the countermand or closing of the poll was duly nominated.

(4.) Where the proceedings in any election are to be commenced afresh in consequence of the death of a candidate, the Returning Officer shall, previous to their commencement, indorse on the writ the fact of such death, the date of the proof thereof, and of the countermand or interruption of the poll in consequence, as the case may be.

(5.) Where any poll is interrupted in consequence of the death of a candidate as aforesaid, all ballot papers placed in the several ballot boxes shall be taken out by the several Deputy Returning Officers, and, being made up into sealed packages, shall be sent by them respectively unopened to the Returning Officer, who shall forthwith, in the presence of a Magistrate or a Justice, burn or otherwise destroy the sealed packages unopened.

Candidates' Meetings.

Candidates may have free use of public schoolrooms, &c., for election meetings.

104.—(1.) Any candidate at an election may, for the purpose of holding public meetings of electors for electoral purposes during the period of an election, use free of charge, other than the cost of lighting, and of cleaning after use, and of repairing any damage done, any suitable room in any primary school in respect of which a grant out of moneys provided by Parliament is received, after the ordinary school hours, and any suitable room in any building the expense of maintaining which is wholly or partially payable out of any local rate, subject as follows, that is to say,—

(*a.*) Three days' notice of the proposed public meeting shall be given to the Committee or managers of such school or building.

(*b.*) The use of the school or building shall be granted in the order of receipt of applications by or on behalf of the candidates.

(*c.*) No candidate shall have the use of the same hall or room on a second occasion if any other candidate who has not before used it desires to make use of it at the same time under the provisions of this section.

(2.) If it is proved that any such meeting was not a public meeting within the meaning of this section, the holding of such meeting shall be an illegal practice; and the person by whom and the candidate on whose behalf the meeting was convened shall, on summary conviction, be liable to a fine not exceeding one hundred pounds.

(3.) For the purposes of this section "candidate" includes any man who has publicly declared his intention of becoming a candidate.

Polling at Elections.

Governor may appoint polling places.

105.—(1.) The Governor may from time to time appoint, alter, and abolish polling places for each electoral district within the limits thereof.

(2.) A polling place shall not be appointed—

(*a.*) Unless the Governor is first satisfied that the place to be appointed is more convenient than any other for at least fifteen electors to record their votes thereat; or

(*b.*) In any house licensed for the sale of spirituous or fermented liquors, or in any premises belonging to such house; or

(*c.*) Upon any sheep station, unless the homestead of such station is more than seven miles distant from the nearest primary school.

Primary school may be appointed a polling place.

(3.) The Governor may appoint any primary school to be a polling place, and in every such case it shall be the duty of the Committee of such school to place it at the free disposal of the Returning Officer from four o'clock in the afternoon of the day preceding the election until ten o'clock in the evening of the day of the election.

(4.) The cost of cleaning such school after use as a polling place, and of repairing any damage, shall be defrayed by the Returning Officer out of moneys to be appropriated by Parliament.

Polling place not to be altered after writ issued.

106.—(1.) After the issue of a writ for an election in any district and until such election is over no change shall be made in the polling places appointed for that district, unless a polling place becames unavailable for the purpose for which it was appointed, or unless such election cannot be held without some such change being made.

(2.) Such changes shall be duly notified in one or more newspapers circulating in the district, at least seven clear days prior to the day of polling.

Poll to be by ballot. Hours of polling.

107.—(1.) The poll shall be taken by ballot; it shall commence at nine o'clock in the forenoon of the day appointed, and shall, unless lawfully adjourned, finally close at six o'clock in the afternoon of the same day, except in the electoral districts enumerated in the second schedule hereto (or in electoral districts at any time hereafter constituted within what is substantially the same geographical area), in which electoral districts the poll shall close at seven o'clock.

(2.) For the purpose of this section the Governor, as soon as conveniently may be after the constitution of new electoral districts, shall, by Order in Council gazetted, specify those in which the poll shall close at seven o'clock, and such notice shall be conclusive evidence of the matters stated therein.

Polling booths.

108.—(1.) The Returning Officer shall provide the following things for taking the poll:—

(*a.*) One or more rooms or compartments for polling booths at each polling place, and in each booth one or more inner compartments separated from but opening into the booth:

(*b.*) In each booth, one or more ballot boxes, having a lock and key, and a slit in the upper side by which the ballot papers may be put into the box:

(*c.*) A sufficient number of ballot papers for use in each polling place;

(*d.*) In each inner compartment, pencils for the use of the voters.

(2.) If there are more booths than one at any polling place, there shall be fixed over the entrance of each booth in succession so many letters of the alphabet in their alphabetical order as denote the booth at which each elector, according to the initial letter of his surname, is to vote; and no elector shall be permitted to vote in any booth save that which is so denoted by the initial letter of his surname.

Deputy Returning Officers.

109.—(1.) The Returning Officer is hereby empowered to appoint in writing as many Deputies as he deems necessary for the effective taking of the poll in every polling booth, or he may himself preside and take the poll in a polling booth at some one of the polling places of the district, which polling place shall be deemed to be the principal polling place of the district.

Their duties and powers.

(2.) All references in this Act to Deputy Returning Officers shall, in respect to the booth at which the Returning Officer presides, extend and apply to such Returning Officer; except that a Deputy Returning Officer shall (if qualified) be entitled to vote as an elector of the district, but he shall not have the power hereinafter conferred upon the Returning Officer of giving a casting vote.

May vote as elector

Substitutes for Returning Officers and Deputies.

110.—(1.) Every Returning Officer and Deputy Returning Officer may at any time before the close of the election appoint in writing a substitute to act for him in case and so long as he is prevented by illness or other sufficient cause from attending or continuing to attend to the duties of his office.

(2.) Every such substitute while so acting shall have all the powers, functions, and liabilities of his principal.

Deputies to make declaration.

111. Every Deputy Returning Officer shall before the poll, and every substitute of any such officer shall before acting, make and subscribe before the Returning Officer or any Justice the declaration in the form numbered (18) in the first schedule hereto.

Scrutineers for each booth.

112. Each candidate, or, if he omits to do so, his nominators together, may, by writing under his or their hands, appoint one scrutineer for each booth; and every such scrutineer shall be entitled to be present in that part of the booth in which the ballot papers are received, as hereinafter mentioned.

To make declaration.

113. Every scrutineer and clerk shall make and subscribe before the Deputy Returning Officer or a Justice the declaration in the form numbered (19) in the first schedule hereto; and such declaration and appointment shall, before the scrutineer is allowed to act, be delivered to the Deputy Returning Officer at the polling place for which the scrutineer is appointed.

Provision to prevent paid scrutineers, &c., from voting.

114.—(1.) The candidate or a nominator of the candidate shall, where a poll is to be held, send to the Returning Officer, not later than three days before the day of the poll, a list containing the names and addresses of every person employed for hire or reward by or on behalf of the candidate as a scrutineer, clerk, or messenger, or from whom any committee room has been hired on behalf of the candidate, and, if any such person is an elector, his number on the electoral roll.

(2.) A copy of such list shall be furnished by the Returning Officer to every Deputy Returning Officer.

(3.) If any person named in the list applies for a ballot paper the Deputy Returning Officer shall warn him that he is not permitted to vote, and, if he marks and hands in a ballot paper, shall cause the words "Disqualified by employment" to be placed upon the paper so handed in; and any ballot paper with these words so placed on it shall not be counted, but shall be dealt with by the Deputy Returning Officer as a rejected ballot paper, and specified in any report of rejected ballot papers under a separate head as rejected for disqualification.

(4.) Every candidate who fails to comply with the provisions of subsection one of this section is liable to a fine not exceeding fifty pounds.

Day of election to be half-holiday.

115. (1.) Subject to the provisions of this section, every day on which any election takes place shall be and be deemed to be a public holiday after midday, and it shall not be lawful

to sell intoxicating liquors in any licensed premises within the district between the hours of twelve o'clock noon and seven in the evening.

(2.) Where the polling day at any election is other than that appointed as the weekly half-holiday under "The Shops and Offices Act, 1904," the provisions of that Act relating to the weekly half-holiday shall be deemed to refer to the polling day in lieu of the day so appointed, and it shall not be necessary for any employer to observe the day so appointed in the week in which the polling day falls.

(3.) It shall not be necessary for any factory to close during any working hours on the polling day, but the occupier of the factory shall afford to each of his employees a reasonable opportunity of recording his vote, and no deduction shall be made from the wages of any such employee in respect of the time occupied in so recording his vote, provided that such time does not exceed one working hour.

(4.) Every occupier of a factory who commits a breach of the last preceding subsection is liable to a fine not exceeding five pounds in respect of every employee.

The Ballot.

Ballot-boxes to be emptied before polling, then locked and kept so till after close of poll.

116. The Deputy Returning Officer shall, immediately before the opening of the poll, and in sight of any of the scrutineers present, see that the ballot box is empty, and shall close and lock it, and retain the key in his possession; and the ballot box shall not again be opened until after the close of the poll.

No person permitted to remain in polling-booth

117.—(1.) Not more than six voters, to be if necessary designated by the Deputy Returning Officer, shall be allowed to be in a polling booth at one and the same time, except that at the hour for closing the poll the Deputy Returning Officer may, in his discretion, admit into the booth a larger number of voters than six.

(2.) No person not actually engaged in voting shall be allowed to remain in a polling booth except the Deputy Returning Officer and his clerks, any scrutineer, an interpreter, and as many constables as the Deputy Returning Officer thinks necessary to keep order.

Voters not to be spoken to in booth.

118. (1.) No scrutineer or other official or unofficial person shall speak to any voter in a polling booth either before or after such voter has given his vote, except only the Deputy Returning Officer (with an interpreter, if necessary), who may ask the questions he is authorised to put, and give such general directions as may assist any voter to give his vote.

(2.) Every person who offends against this section is liable for each such offence to a fine not exceeding twenty pounds, and may be at once removed from the booth by order of the Deputy Returning Officer.

Ballot-paper to be given to voter within booth.

119. Every person proposing to vote shall state to the Deputy Returning Officer his name, and shall remand a ballot paper; and the Deputy Returning Officer, having satisfied himself by reference to the roll that such person is entitled to vote, and has not already voted, shall deliver to him a ballot paper.

Questions put to persons offering to vote.

120.—(1.) The Deputy Returning Officer may, and if so required by any scrutineer shall, before allowing any person to vote, put to him the following questions:—

(*a.*) "Are you the person whose name appears as A. B. on the electoral roll now in force for the Electoral District of [*Name of district*]?"

(*b.*) "Have you already voted at the present election in this or any electoral district?"

Omission or refusal to answer questions an offence.

(2.) Every person to whom the prescribed questions are so put as aforesaid who, having tendered his vote, fails distinctly to answer the same, or any of them, or does not answer absolutely in the affirmative the first and absolutely in the negative the second of such questions, is liable to a fine not exceeding fifty pounds, and shall be prohibited from voting then or afterwards at that election.

Penalty for making false answer.

(3.) Every person who wilfully and knowingly makes a false answer to either of the questions that the Deputy Returning Officer may put to him under this Act is liable for every such offence to a fine not exceeding fifty pounds.

Before given, ballot-paper to be marked

121.—(1.) Before giving a ballot paper to an elector the Deputy Returning Officer shall write upon the bottom of the left-hand corner of the back thereof his initials, and the number appearing on the roll against the name of the elector to whom he gives such paper, and, after securing the said corner by gum or otherwise, shall stamp thereon an official mark, and shall draw a line in pencil or ink through the number and name of such elector on the roll as evidence that he has tendered his vote.

(2.) Every Deputy Returning Officer who fails faithfully to perform any duty imposed on him by this section, by reason whereof any of the requirements of this section are not effectively fulfilled, is liable to a fine not exceeding ten pounds:

Provided that, in so far as relates to the duty of securing the corner of the ballot paper by gum or otherwise, it shall be a sufficient defence if he satisfies the Court that he took all reasonable precautions to secure the same.

Marking the ballot-paper.

122.—(1.) The voter, having received a ballot paper, shall retire into one of the inner compartments provided for the purpose, and shall there, alone and secretly, mark his ballot paper by striking out the names of the candidates for whom he does not wish to vote.

Ballot-paper to be folded and put in the ballot-box by the voter.

(2.) Every voter, before leaving the inner compartment, shall fold up his ballot paper so that the contents cannot be seen, and, after showing the Deputy Returning Officer the official mark thereon, shall then deposit the ballot paper, so folded, in the ballot box.

Provision where voter is blind or disabled or cannot write.

123. At the request of any voter who is blind, or is unable to read or write, the Deputy Returning Officer shall, together with any scrutineers (not exceeding two) who may be present, retire with him into the inner compartment, and there mark the ballot paper according to the instruction of the voter; and such Deputy Returning Officer shall sign his own name at the foot thereof, and, if so required by the voter, shall allow a scrutineer or scrutineers to inspect such ballot paper before depositing it in the ballot box.

Proceeding where second vote tendered in same name.

124. If any person proposing to vote at any election tenders as his name the name of any person to whom a ballot paper has already been given at the same election, he shall be dealt with in all respects in like manner as any voter tendering his vote; except that the ballot paper of such person shall not be deposited in the ballot box or allowed by the Deputy Returning Officer, but shall be set aside for separate custody.

Absent Voters.

Voting permit.

125.—(1.) An elector of any district may at any time up to and including the issue of the writ apply in writing (in the form numbered (20) in the first schedule hereto) to the Registrar of the district for a voting permit authorising him to record his vote outside the district at any polling place appointed under this Act, and such application shall be witnessed by a Justice, Postmaster, or other Government officer.

(2.) The Registrar, on being satisfied of the *bonâ fides* of the applicant and that the applicant's name is on the roll of the district, shall issue to him a voting permit in the form numbered (21) in the first schedule hereto.

(3.) The voting permits issued by any Registrar shall be numbered consecutively, beginning with the number one, and the Registrar shall prepare a separate list of all such permits and append such list to the copies of the supplementary roll issued to the Returning Officer and his Deputies.

Holder of permit may vote outside his district of registration.

126.—(1.) For the purpose of exercising his vote the holder of a voting permit shall apply at any time between the opening and closing of the poll to the Deputy Returning Officer at the polling place outside the district for which he is enrolled at which he desires to record his vote, and shall deliver his voting permit to the Deputy Returning Officer.

(2.) The Deputy Returning Officer shall thereupon fill up a blank ballot paper with the names of the candidates of the district for which such holder is entitled to vote, and, after dealing with such ballot paper in the manner prescribed by section one hundred and twenty-one hereof, shall deliver it to the holder of the voting permit.

(3.) The holder of the permit shall mark the ballot paper in the manner hereinbefore prescribed, and shall return the same to the Deputy Returning Officer, who shall enclose it in an envelope addressed to the Returning Officer of the district for which the vote is exercised, and, having closed the envelope, shall enclose it, together with the voting permit, in a second envelope similarly addressed, and shall forthwith post it to its address, and every such letter shall go free by post.

(4.) If for any reason the holder of a voting permit applies to vote at any polling place within the district, he shall, before receiving a ballot paper, deliver his voting permit to the Deputy Returning Officer.

(5.) Every person is liable to a fine not exceeding fifty pounds or to imprisonment for any period not exceeding six months who—

(*a.*) Wrongfully obtains a voting permit; or

(*b.*) Having wrongfully obtained the same, records his vote thereunder; or

(*c.*) Claims to record his vote by virtue of any voting permit not issued to him; or

(*d.*) Permits a voting permit issued to him to be used by any other person.

Fact of exercise of vote to be telegraphed.

127. On the close of the poll the Deputy Returning Officer shall transmit by telegraph or other expeditious means to the Returning Officer of the district for which the vote was exercised a statement of the name, address, and occupation or description of the elector who has recorded his vote, and the number of his voting permit.

Preliminary Count of the Votes.

Number of votes to be ascertained on close of poll.

128. Every Deputy Returning Officer, at the polling place at which each presides, shall, as soon as practicable after the close of the poll, in the presence of such of the scrutineers as choose to be present, and the poll clerks (if any), but of no other persons, open the ballot boxes, and taking therefrom all the ballot papers therein, proceed to ascertain the number of votes recorded for each candidate, and shall, upon and after such opening, both abstain himself from inspecting the writing upon the back of the ballot papers and take care that the same is not seen by any person present before the papers are enclosed in a sealed parcel as hereinafter mentioned.

Result of voting to be announced.

129. The Deputy Returning Officer shall, immediately after ascertaining the number of votes recorded for each candidate, announce the result of the voting at the polling booth of which he is in charge.

Deputies to make up books and papers in parcels.

130—(1.) Every Deputy Returning Officer, immediately after ascertaining the number of votes recorded for the several candidates, as mentioned in the last preceding section, shall make up into separate parcels—

(*a.*) The used ballot papers other than those set aside under section one hundred and twenty-four hereof;

(*b.*) The ballot papers set aside under section one hundred and twenty-four hereof;

(*c.*) The unused and spoilt ballot papers, placed together; and

(*d.*) All books, rolls, and papers kept and used by him during the polling, except the certified copies of rolls supplied to him on which the fact of any person having received a ballot paper has been noted.

(2.) Each such parcel shall be sealed by the Deputy Returning Officer with his own seal, and by such scrutineers present as desire to affix their seals, and shall be indorsed by the Deputy Returning Officer with a description of the contents thereof, the name of the district, the name of the place of polling, and the date of the polling; and such indorsement shall be signed by the Deputy Returning Officer.

(3.) The Deputy Returning Officer shall (except where he is himself the Returning Officer) with all possible despatch deliver all the separate parcels aforesaid to the Returning Officer.

Deputies to make returns to Returning Officer.

131.—(1.) Each Deputy Returning Officer shall (except as aforesaid), together with the parcels aforesaid, transmit to the Returning Officer—

(*a.*) The certified copies of rolls supplied to the said Deputy on which the fact of any person having received a ballot paper has been noted; and

(*b.*) A list of the total number of votes in the first instance received by each candidate; and

(*c.*) An account, in the prescribed form, in which such Deputy charges himself with the number of ballot paper originally delivered to him, the number thereof delivered to and used by voters, and the number thereof not so delivered or left unused, and the number thereof set aside for separate custody (which account is hereinafter referred to as "the ballot paper account").

(2.) Every such list and account shall be verified as well by the signatures of the Deputy and the poll clerk (if any) as also by the signatures of such of the scrutineers as are present and consent to sign the same.

Scrutiny of the Rolls.

Scrutiny of the rolls by Returning Officer.

132.—(1.) The Returning Officer shall make arrangements for a scrutiny of the rolls as soon as practicable after the close of the poll, in the presence of scrutineers appointed by the candidates for that purpose, and shall give notice in writing to the candidates or their scrutineers of the time and place at which he will commence the scrutiny.

(2.) No person, except one scrutineer appointed by each candidate, the Returning Officer, and his assistants and clerks, may be present at the scrutiny.

Scrutineers may be appointed by telegraph.

133. Every scrutineer appointed for the purposes of the scrutiny under section one hundred and thirty-two hereof, or the counting of the votes under sections one hundred and thirty-six and one hundred and thirty-seven hereof, may, where necessary, be appointed by telegraph.

Returning Officer to compare rolls.

134.—(1.) The Returning Officer shall, in the presence and hearing of such scrutineers as are present, compare one with another all the certified copies of rolls on which the fact of any person having received a ballot paper has been noted by any Deputy, as hereinbefore provided.

May select ballot papers and disallow votes in certain cases.

(2) If on such comparison it appears that the same person has received a ballot paper at two or more polling places, and if satisfied beyond doubt of the identity of the person so voting, the Returning Officer shall, in the presence of such scrutineers as choose to be present, open the parcels of ballot papers used at the several polling places at which such person appears to have received any ballot paper, and shall select therefrom the ballot papers on which the number corresponding to the name of such person appears, and shall disallow every vote appearing to have been given by means of the ballot papers so selected.

(3.) Upon and after the opening of such parcel the Returning Officer shall both himself abstain from inspecting the faces of the ballot papers in the several parcels so opened, other than the ballot papers selected therefrom, and shall take care that the faces of the same are not seen by any person present.

After selection parcels to be sealed up.

135.—(1.) When the Returning Officer has selected from any parcel all the ballot papers he is required to select therefrom, he shall forthwith, in the presence of the scrutineers, close and seal up the said parcel, and shall indorse thereon a memorandum of the fact of such ballot papers having been selected from such parcel, specifying the same by the name of the person to whom the same appear to have been delivered, and shall sign the indorsement with his name.

Selected papers to be sealed up.

(2.) The Returning Officer shall set aside all ballot papers selected by him from any parcel as herein provided, and shall, in the presence of the scrutineers, seal up the same in a separate parcel, and shall indorse the same with a description of the contents thereof, and shall sign the indorsement with his name.

Counting the Votes, and Declaration of Poll.

Counting the ballot papers.

136.—(1.) On completion of the scrutiny directed by section one hundred and thirty-two hereof the Returning Officer shall, with such assistance as he deems necessary, and in the presence of scrutineers as provided by section one hundred and thirty-two hereof, and also in the presence of some Justice (who shall attend at the request of the Returning Officer), take all the used ballot papers from the several packets (except the packets of ballot papers set aside under sections one hundred and twenty-four and one hundred and thirty-five hereof), and all the absent voters' ballot papers received by him under section one hundred and twenty-six hereof, and, mixing them up together, shall place them in an open box.

(2.) The ballot papers shall then be drawn out of the box in succession, and each such paper as it is drawn shall be marked or stamped with a number in arithmetical series, beginning with the number one, and so that no two ballot papers shall bear the same number.

(3.) The Justice attending as aforesaid shall sign a certificate stating the total number of the ballot papers received at the election, and such certificate shall be carefully preserved by the Returning Officer for production when required.

Counting the votes.

137. The Returning Officer shall then, in the presence of scrutineers as aforesaid, deal with the ballot papers as follows:—

(*a.*) He shall reject as informal all ballot papers that do not bear the official mark and that there is reasonable cause to believe were not issued to a voter by any Deputy Returning Officer, and all ballot papers whereon anything not authorised by this Act is written or marked by which the voter can be identified, other than the writing in the corner sealed by the Deputy Returning Officer, and all ballot papers that do not clearly indicate the candidate for whom the elector desired to vote.

Declaration of result of poll.

(*b.*) He shall then ascertain from the ballot papers the total number of votes received by each candidate, and shall publicly declare (in the form numbered (22) in the first schedule hereto) that candidate to be elected who has received the greatest number of votes.

Returning Officer's casting vote.

138. Where there is an equality of votes between any candidates, and the addition of a vote would entitle one of such candidates to be declared to be elected, the Returning Officer (whether an elector of the district or not) shall give a casting vote.

Recount.

Recount.

139.—(1.) Where any candidate has reason to believe that the public declaration by the Returning Officer of the number of votes received by each candidate is incorrect, and that on a recount thereof such first-mentioned candidate might be found to be elected, he may within three days after such public declaration apply to a Magistrate for a recount of the votes.

(2.) Every such application shall be accompanied by a deposit of twenty pounds.

(3.) The Magistrate shall, as soon as practicable after receiving the application and deposit as aforesaid, cause a recount of the votes to be made, and shall give at least two days' public notice of the time and place at which such recount will be made.

(4.) The recount shall be made in the presence of the Magistrate, or of an officer appointed by him for the purpose, and shall, as far as practicable, be made in the manner provided in the case of the original count, and the provisions of section one hundred and twenty-eight hereof relating to the secrecy of the ballot shall apply to such recount.

(5.) If on the recount the Magistrate finds that such public declaration was incorrect, he shall order the Returning Officer to give an amended public declaration of the total number of votes received by each candidate as disclosed by such recount, and the candidate then found to have received the highest number of votes shall be declared to be elected.

(6.) The Magistrate may make such order as to the costs of and incidental to the recount as he deems just, and, subject to any such order, shall direct the deposit made under this section to be returned to the person who made the same.

After the Poll.

Name of person elected to be indorsed on writ, and writ returned.

140.—(1.) The Returning Officer shall indorse on the writ—

(*a.*) The name of the person declared to be elected; and

(*b.*) The date of such indorsement;

and, having signed such indorsement, shall forthwith (within the time specified in the writ) transmit the writ to the Clerk of the Writs.

Date of return of writ.

(2.) The day on which the writ was so indorsed shall be deemed to be the day of the return thereof.

(3.) As soon as conveniently may be after the return of the writs the Clerk of the Writs shall forward to the Speaker a list of the names of the members elected, together with a copy of the writs indorsed as aforesaid.

A member returned for two districts at a general election to elect.

141.—(1.) If at a general election any member is returned for two or more districts, he shall choose for which he will serve within seven days after it appears that there is no question as to his return for the district for which he chooses to serve.

(2.) If a petition is presented against his return for either district he shall, if his return for both districts is valid, make his choice within seven days after the petition has been disposed of.

Returning Officer to mark copy of roll of all persons who voted, and send to Registrar for correction of rolls.

142.—(1.) The Returning Officer, after the day of polling at any general election where a poll has been taken, and before sealing up the certified copies of rolls received from the various Deputies, shall transfer from the said rolls on to a fair copy of the electoral roll of the district a distinguishing mark to indicate every voter who has voted at such poll, and shall write the word "Candidate" or "Prohibited from voting" opposite the names of such persons as were candidates or prohibited by law from voting, and shall sign the said roll as accurate, with his name and the title of his office, and the date of the polling day, and shall transmit the same to the Registrar of the district.

(2.) The Registrar shall thereupon make inquiry in the case of each elector whose name is not so marked as to whether he is still qualified to be enrolled for that district, and if he is satisfied that he is not so qualified shall take the steps provided by section fifty-two hereof to remove the name of such elector from the roll.

(3.) Notice of the removal under this section of the name of any person shall forthwith be given by registered letter to such person by the Registrar.

Disposal of Ballot Papers.

Parcels to be made up in packets, and sent to Clerk of House.

143.—(1.) The Returning Officer shall, as soon as practicable after the day of polling at any election, enclose in separate packets, in manner hereinafter mentioned, as well all the parcels transmitted to him as aforesaid by the several Deputy Returning Officers as also those made up and sealed by himself, that is to say,—

(*a.*) He shall enclose in one separate packet all the used ballot papers, including the absent voters' ballot papers, in another all parcels of unused ballot papers, in another all parcels of ballot papers set aside under sections one hundred and twenty-four and one hundred and thirty-five hereof, and in another all parcels containing ballot paper accounts, copies of rolls, books, or other papers, as herein provided, and all telegrams, letters, and other papers received from Collectors under section eighty-two hereof, and from any Deputy Returning Officer under section one hundred and twenty-six hereof:

(*b.*) He shall seal up the said several packets, and indorse the same with a description of the contents thereof respectively, and the name of the district and the date of the polling, and shall sign the indorsement; and shall forthwith forward the said packets to the Clerk of the House of Representatives:

(*c.*) He shall also at the same time seal up and transmit to the said Clerk a parcel containing all ballot papers printed for the said election and not used by the Returning Officer or distributed for use to his Deputies.

(2.) The said Clerk shall forthwith give or send to the Returning Officer a receipt under his hand for the said packets and parcel.

Disposal of packets.

144.—(1.) The sealed packets and parcel shall be safely kept for one year, unopened, unless a competent Court or the House of Representatives orders them, or any of them, to be opened.

(2.) At the end of one year the packets and parcels shall be burnt, unopened, in the presence of the said Clerk and the Clerk of the Writs.

Papers taken from parcels to be evidence in certain cases.

145.—(1.) Any ballot paper, and any copy of a roll, and any book purporting to be taken from any such parcel as aforesaid, and having written thereon respectively, under the hand of the Clerk of the House of Representatives for the time being, a certificate of the several particulars hereby required to be indorsed upon such parcel, and that the same was so taken from such parcel, shall be conclusive evidence in any Court or before any Committee of the House of Representatives that the same was so taken, and that the same, if a ballot paper, was deposited, and, if a roll or book, was kept or used at the election and booth to which such indorsement and writing relate.

Of what a ballot paper used at election shall be evidence.

(2.) Every ballot paper so certified shall be evidence of a vote given at such poll, and of the correspondence of the number appearing on such ballot paper with the number appearing on any roll so certified as of the same election and booth, according to the tenor of the said ballot paper.

(3.) But in the case of the ballot papers set aside, or selected and set aside, by a Deputy Returning Officer or by the Returning Officer, such correspondence shall be evidence only of some person having voted in the name appearing on the roll.

Maintenance of Order at Elections.

Deputy Returning Officers to maintain order.

146.—(1.) Every Deputy Returning Officer shall maintain order and keep the peace at the polling place where he is conducting the poll, and may, without any other warrant than this Act,—

(*a.*) Cause to be arrested and taken before a Justice any person reasonably suspected of committing or attempting to commit at a polling place any of the offences mentioned in section one hundred and fifty-two hereof; or

(*b.*) Cause to be removed any person who obstructs the approaches to a polling booth, or wilfully and unnecessarily obstructs or delays the proceedings at the polling, or conducts himself in a disorderly manner, or causes a disturbance, or wilfully acts in any manner in defiance of the lawful directions of the Deputy Returning Officer.

(2.) All constables shall aid and assist the Deputy Returning Officer in the performance of his duty.

Poll to be adjourned in case of riot.

147. Where the proceedings for taking the poll at any election are interrupted or obstructed at any place by riot, open violence, or otherwise, the Deputy Returning Officer shall not for such cause finally close the poll, but shall adjourn the taking of the poll at the polling place at which such interruption or obstruction happens to the following day, and, if necessary, from day to day until the poll can be taken without such interruption or obstruction, when the Deputy Returning Officer shall again proceed with the poll:

Provided that the poll shall not be kept open for more than ten hours on the whole in any city or borough having a population exceeding six thousand, and nine hours on the whole in any other place.

Custody of Ballot Papers.

Prevention of irregularities as to ballot papers.

148. In order to prevent the commission at any election of irregularities in respect to the improper possession of ballot papers, the following provisions shall apply:—

(*a.*) The Returning Officer shall give to the person printing the ballot papers a receipt specifying the total number of ballot papers received by him, and it shall be the duty of such printer to see that all copies of the ballot paper other than those delivered to the Returning Officer are immediately destroyed.

(*b.*) Every Deputy Returning Officer shall give to the Returning Officer a receipt specifying the total number of ballot papers received by him.

Safe custody of ballot papers.

(*c.*) Every Deputy Returning Officer shall be personally responsible for the safe custody of all ballot papers used at the polling booth at which he presides from the time each ballot paper was placed in the ballot box by the voter until the parcel of used ballot papers has been delivered to the Returning Officer as prescribed by section one hundred and thirty hereof and the Deputy Returning Officer has obtained from the Returning Officer a receipt in writing for the same, which receipt the Returning Officer is in all cases required to give on such delivery.

(*d.*) In like manner every Returning Officer shall be personally responsible for the safe custody of all ballot papers used at the polling booth at which he presides until the same have been dealt with in the manner prescribed by section one hundred and forty-three hereof, and also for the safe custody of all parcels of used ballot papers for which he has given a receipt under the last preceding paragraph until the same have been dealt with by him as aforesaid.

(*e.*) Every Returning Officer or Deputy Returning Officer who fails to take reasonable steps to secure the safe custody of all ballot papers for which he is responsible, and thereby any such ballot paper is removed from his custody, is liable to a fine not exceeding one hundred pounds or to twelve months' imprisonment.

(*f.*) Every person is liable to a fine not exceeding one hundred pounds who wilfully or negligently allows any copy of a ballot paper printed by him to come into the possession of any person other than the Returning Officer.

Retaining possession of ballot paper

(*g.*) Every person is liable to a fine not exceeding one hundred pounds who obtains possession of or has in his possession any ballot paper other than the one given him by the Returning Officer for the purpose of recording his vote, or retains any ballot paper in his possession after leaving the polling booth.

Offences at Elections.

Influencing voters.

149. Every person is liable to a fine not exceeding twenty pounds who at an election—

(*a.*) In any way interferes with any elector, either in the polling booth or while on his way thereto, with the intention of influencing him or advising him as to his vote; or

Printing or distributing mock ballot papers.

(*b.*) Prints or distributes or delivers to any person on the day of the poll, or at any time during the three days immediately preceding the poll, anything being or purporting to be in imitation of any ballot paper to be used at the poll and having thereon the names of the candidates, together with any direction or indication as to how any person should vote, or in any way containing any such direction or indication, or having thereon any matter likely to influence any vote; or

Making public demonstration.

(*c.*) During the hours in which the poll is being taken makes any public demonstration having reference to the poll by means of living figures, effigies, paintings, placards, or other like means.

Publishing defamatory matter at election time.

150. Every person who at any time between the issue of the writ and the close of the poll publishes or exposes, or causes to be published or exposed, to public view any document or writing or printed matter containing any untrue statement defamatory of any candidate and calculated to influence the vote of any elector is liable to a fine not exceeding fifty pounds or to imprisonment for any period not exceeding three months.

Erasing, &c., official mark on ballot paper.

151. Every person is liable to a fine not exceeding fifty pounds who erases, obliterates, or alters any official mark, stamp, or writing on the back of any ballot paper, or places thereon any writing, print, or other matter which might lead persons to believe that the same was put thereon by any officer or person duly authorised in that behalf.

Offences in respect of ballot papers and ballot boxes.

152.—(1.) Every person who—

(*a.*) Forges, or counterfeits, or fraudulently defaces, or fraudulently destroys any ballot paper, or the official mark on any ballot paper; or

(*b.*) Without due authority supplies any ballot paper to any person; or

(*c.*) Fraudulently puts into any ballot box any paper other than the ballot paper that he is authorised by law to put therein; or

(*d.*) Fraudulently takes out of the polling booth any ballot paper; or

(*e.*) Without due authority destroys, takes, opens, or otherwise interferes with any ballot box, or box or packet or parcel of ballot papers, then in use for the purposes of the election, or in course of transmission by post or otherwise, or thereafter wherever the same may be kept as a record of such election,—

is liable, if a Returning Officer or Deputy Returning Officer, or an officer or clerk in attendance at a polling booth, to two years' imprisonment with or without hard labour, and, if any other person, to six months' imprisonment.

Attempt to commit an offence.

(2.) An attempt to commit any offence specified in this section is punishable in the manner in which the offence is punishable.

Property may be stated as being in Returning Officer.

153. In any indictment or other prosecution for an offence in relation to the ballot boxes, ballot papers, or marking instruments at an election, the property in such papers, boxes, and instruments may be stated to be in the Returning Officer at such election.

Infringement of secrecy.

154.—(1.) Every officer, clerk, scrutineer, interpreter, and constable in attendance at a polling booth shall maintain and aid in maintaining the secrecy of the voting in such booth, and shall not communicate to any person, except for the purpose authorised by law, before the poll is closed, any information likely to defeat the secrecy of the ballot.

(2.) No person, except as hereinbefore provided, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling booth information as to the candidate for whom any voter in such booth is about to vote or has voted, or communicate at any time to any person any information obtained in a polling booth as to the candidate for whom any voter at such booth is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such booth.

(3.) Every person in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper.

(4.) No person shall, directly or indirectly, induce any voter to display his ballot paper after he has marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

(5.) Every person who offends against this section is liable, on summary conviction before two Justices, to six months' imprisonment with or without hard labour.

Deputy Returning Officer may arrest person guilty of personation.

155.—(1.) Every Deputy Returning Officer may, without any other warrant than this Act, cause to be arrested and taken before a Justice any person reasonably suspected of committing or attempting to commit at a polling place any act of personation.

(2.) All constables shall aid and assist the Deputy Returning Officer in the performance of his duty.

(3.) It shall be the duty of the Returning Officer to institute a prosecution against any person whom he believes to have committed the offence of personation, or of aiding, abetting, counselling, or procuring the commission of that offence by any person, at the election for which he is Returning Officer.

Punishment of personation.

(4.) Every person who commits the offence of personation, or of aiding, abetting, counselling, or procuring the commission of that offence, is liable to two years' imprisonment with or without hard labour.

(5.) The costs and expenses of the prosecutor and the witnesses in such case, together with compensation for their trouble and loss of time, shall be allowed by the Court. Costs and expenses of prosecution to be allowed.

156.—(1.) If any Returning Officer wilfully delays or fails to return any candidate, and it is afterwards determined, on the trial of an election petition as hereinafter provided, that such candidate ought to have been returned, such candidate may bring an action in the Supreme Court against such officer. Returning Officer refusing to return any person duly elected may be sued.

(2.) The plaintiff in such action may recover double the damages he has sustained by reason of the delay or failure aforesaid, together with full costs of suit.

(3.) Such action shall be commenced within one year after the cause of action arose, or within six months after the conclusion of the trial of such election petition.

Notices by Telegraph.

157.—(1.) The Governor, the Speaker, the Clerk of the Writs and his Deputy, any member desiring to resign his seat, and any Returning Officer or substitute for a Returning Officer, may cause to be transmitted by telegram the contents of any writ, warrant, return, notice, nomination paper, authority, or other communication required or authorised to be made or issued under the provisions of this Act by the Governor, Speaker, or any such other officer or person as aforesaid, whether requiring signature or seal or not. Certain documents may be transmitted by telegraph under restrictions.

(2.) The original document shall be delivered at a telegraph station, and in the case of any officers and persons as aforesaid other than the Governor or Speaker such delivery shall be made in the presence and under the inspection of some Justice.

(3.) The person to whom the contents of any such document are sent shall forthwith, in the presence and under the supervision of a Justice, cause to be sent back by telegram a copy of the message received by him; and in the event of any error appearing therein the process shall be repeated, under the like supervision, until it appears that a true copy of such document has been received by the person to whom it was sent.

(4.) When it appears that such true copy has been received, the officer or person who delivered the original document to the telegraph officer shall indorse upon the original document a certificate that a true copy thereof has been sent, under the provisions of this section, to the person to whom the same was so sent, and shall forthwith by telegram inform that person that such certificate has been so indorsed; and in the case of every officer or person other than the Governor or Speaker the certificate shall be indorsed in the presence of the Justice who was present at the delivery of the original document.

(5.) The person so receiving such true copy shall, upon receiving information of such certificate, indorse upon the copy of the original document received by him a certificate that the same has been duly received under the provisions of this section, which certificate shall be signed by him and by the Justice so supervising the receipt of such copy as hereinbefore provided.

(6.) Forthwith upon making such indorsement the person who made the same shall by telegram notify the fact to the officer or person who delivered the original document to the telegraph officer.

(7.) In the case of a writ the officer or person to whom such telegram as last aforesaid is addressed shall forthwith upon receipt thereof deposit the same with the aforesaid telegraph officer, who thereupon, and notwithstanding anything to the contrary in this Act, shall forthwith transmit the original writ by post to the Returning Officer to whom it is addressed.

(8.) Forthwith upon receipt of such original writ the Returning Officer shall annex it to the telegraphic copy thereof previously received by him; and shall, when the result of the election is ascertained, indorse such original writ, and transmit it (together with such telegraphic copy) to the Clerk of the Writs, as required by section one hundred and forty hereof.

(9.) Every copy so indorsed and certified shall be as valid to all intents and purposes as the original whereof it purports to be a copy would have been, and shall be admissible in evidence in any case in which the original would have been so admissible; and any person by whom such copy is so received, or who is thereby authorised, instructed, or commanded to do any act, or who is lawfully charged with any duty in respect thereof, shall have and become liable to the same rights and duties as if he had received such original document duly signed and sealed, or signed, or sealed, as the case may be. Copies so transmitted to be as valid as originals.

(10.) Every original document (other than a writ) a copy whereof has been transmitted under this section shall be kept at the telegraph station at which it was delivered for the purposes of such transmission, and shall, after the expiration of two days from the date of the certificate under subsection four of this section being indorsed upon it, be open within reasonable hours to the inspection of any person upon the payment of a fee of one shilling. Original documents of which copies transmitted to be open to inspection.

158. Every person who, being charged with the delivery of any such telegram as aforesaid, wilfully delivers the same to any person other than the person to whom it is addressed is liable to two years' imprisonment with or without hard labour. Penalty for wilful delivery of message to wrong person.

159.—Every person who—

(*a.*) Without lawful authority or excuse (the proof whereof shall lie on him) signs the name of any other person to any such telegraphic message as aforesaid, with intent to procure such message to be sent as a message from such other person, is liable to two years' imprisonment with or without hard labour; or Penalty for signing another's name to message to be sent.

(*b.*) Wilfully and falsely indorses upon any original document delivered at a telegraph station for the purpose of being transmitted under this Act a certificate that a true copy thereof has been sent under section one hundred and fifty-seven hereof, or who by telegraph wilfully and falsely informs any person to whom such document is so sent that a certificate under this Act has been indorsed thereon, is liable to a fine not exceeding one hundred pounds, which may be sued for and recovered by the first person who, for his own benefit and without collusion, sues for the same. Penalty for false certificate of sending message under provisions of this Act.

Signing false certificate upon copy.

160. Every person required by this Act to sign any certificate upon any copy of a document, to the effect that such copy has been duly received under section one hundred and fifty-seven hereof, who wilfully signs any such certificate knowing the same to be false is liable to fourteen years' imprisonment with or without hard labour.

Candidate's Election Expenses.

Periods for sending in claims and payment of election expenses.

161. Subject to such exceptions as are permitted by this Act, it is hereby declared as follows:—

(*a.*) No claim against a candidate, or against any agent of a candidate, in respect of any expenses incurred shall be recoverable unless it is sent in to the candidate within thirty days after the day on which the candidate returned is declared elected.

(*b.*) All expenses incurred by or on behalf of a candidate shall be paid within sixty days after the day on which the candidate returned is declared elected, and not otherwise.

(*c.*) Every person who makes any payment in breach of any of the provisions of this section commits an illegal practice.

Procedure where claim disputed.

162.—(1.) If a candidate, in the case of a claim sent in to him within the time limited in this Act, disputes it, or fails to pay it within the said period of sixty days, such claim shall be deemed to be a disputed claim, and the claimant may, if he thinks fit, within thirty days after the expiration of the said sixty days, bring an action for the disputed claim in any competent Court.

(2.) Any sum paid by the candidate in pursuance of the judgment or order of such Court shall be deemed to be paid within the time limited by this Act.

Court may grant leave to pay claim after time limited.

163.—(1.) On cause shown to the satisfaction of a Magistrate's Court, such Court may, on application by the claimant or by the candidate, grant leave to the candidate to pay a disputed claim, or to pay a claim for any such expenses as aforesaid, although sent in after the time hereinbefore limited for sending in claims.

(2.) Any sum specified in the order granting such leave may be paid by the candidate, and when so paid shall be deemed to be paid within the time limited by this Act.

Payments to be vouched by bill.

164. Every payment made in respect of any expenses incurred shall, except when less than two pounds, be vouched for by a bill stating the particulars, and by a receipt.

Account and declaration respecting election expenses.

165—(1.) Within seventy days after the day on which the result of any election is declared, every candidate at that election shall transmit to the Returning Officer a true account, in the form numbered (23) in the first schedule hereto, or to the like effect, of all payments made by the candidate.

When candidate out of colony.

(2.) Where the candidate is out of New Zealand on the day when the poll takes place, the aforesaid account shall be transmitted by him to the Returning Officer within twenty-one days after his return to New Zealand.

Penalty for neglect to furnish account, or for transmitting false account.

(3.) Every candidate who fails to transmit such account to the Returning Officer within the time prescribed is liable to a fine not exceeding twenty pounds, and, if he has been elected, to a further fine not exceeding twenty pounds for every day thereafter on which he sits or votes in the House of Representatives until such account is transmitted.

(4.) Every candidate who transmits an account that is false in any material point commits a corrupt practice, unless he satisfies the Court that he had no intention to misstate or conceal the facts.

(5.) It shall be the duty of the Returning Officer to see that the provisions of this section are faithfully complied with, or, if not faithfully complied with, then that proceedings are taken for the recovery of the fine imposed by this section.

Account and declartion to be open for public inspection for twelve months.

166. The Returning Officer shall keep such account in his office, or at some other convenient place to be appointed by the Colonial Secretary, for a period of twelve months after it has been received by the Returning Officer, and during that period such account shall be open to inspection by any person on payment of a fee of one shilling; and at the expiration of such period the Returning Officer shall cause the said account to be destroyed.

Limit of election expenses.

167.—(1.) The total expenses of a candidate shall in no case exceed the sum of two hundred pounds.

(2.) Every candidate or person commits a corrupt practice who directly or indirectly pays, or knowingly aids or abets any person in paying, for or on account of such expenses sums exceeding in the aggregate the sum of two hundred pounds.

Interpretation of certain terms.

168. In the seven last preceding sections the words "payment," "advance," "deposit," "expenses," and "sum" are used in relation to the conduct and management of the election.

Validity of Elections.

Election not to be invalid for defect in appointment of person taking the poll.

169. An election shall not be questioned by reason only of any defect in the title or any want of title of the person by or before whom such election or any polling was held, if such person was actually appointed or was acting in the office giving a right to preside at such election or polling.

Election not to be void for want of appointment of Returning Officer.

170. An election shall not be void by reason of there being no Returning Officer for the district at the time of the issue of the writ, or of any delay in the return of the writ.

Election not invalid by reason of irregularities which do not affect result.

171. An election shall not be declared invalid by reason of any irregularity in any of the proceedings preliminary to the polling, or by reason of any failure to hold a poll at any place appointed for holding a poll, or to comply with the directions contained in this Act as to the taking of the poll or the counting of the votes, or by reason of any mistake in the use of the forms contained in the first schedule hereto, if it appears to the Court having cognisance of the question that the election was conducted in accordance with the principles laid down in this Act, and that such irregularity, failure, or mistake did not affect the result of the election.

Part IV.

Maori Representation.

Four Maori members to be elected.

172.—(1.) In addition to the number of members of the House of Representatives mentioned in section three hereof, there shall be four members of the said House to represent therein the inhabitants of New Zealand of the Maori race.

(2.) Such members shall be chosen respectively by the votes of the Maoris inhabiting each of the several Maori electoral districts hereinafter mentioned, who have not at any time theretofore been convicted of any offence punishable by death or imprisonment with hard labour for three years or upwards, and are otherwise qualified as hereinafter provided.

Qualification of Maori electors.

173. Every adult Maori (not being registered under Part II. of this Act) who is not disqualified under this Act is entitled to vote as an elector at any election of a member of the House of Representatives for the Maori electoral district in which he resides.

Qualification of Maori members.

174. Every such male elector is qualified to be a member of the House of Representatives for any Maori electoral district of the colony.

Members not to hold office of emolument under Government.

175.—(1.) A member elected under the provisions of this Part of this Act shall not be capable of being appointed to any office of emolument under the Government of New Zealand so long as he is a member of the General Assembly.

(2.) If any such member at the time of his election holds any such office of emolument as aforesaid, the salary or emolument of such office shall neither be increased nor diminished during such time as he is a member.

(3.) The provisions of this section shall not apply to the holding of a seat in the Executive Council, or to an appointment as adviser or assessor of or in connection with the Executive Council, or to the receipt of salary in respect only of such seat or such appointment, such seat or appointment being held on the ordinary tenure of responsible government.

Maori electoral districts, and number of members to be returned.

176.—(1.) For the purpose of this Part of this Act New Zealand shall be divided into four Maori electoral districts, each of which shall return one member.

(2.) The names of such electoral districts shall be as follow:—

The Northern Maori Electoral District;
The Eastern Maori Electoral District;
The Western Maori Electoral District;
The Southern Maori Electoral District.

(3.) The Governor may at any time by Proclamation redefine and declare, and from time to time alter and vary, the boundaries of the several Maori electoral districts; and such boundaries so from time to time redefined and declared shall be taken and deemed to be the boundaries of the said Maori electoral districts as fully as if the same had been set forth in this Part of this Act.

Members for districts to remain although districts altered.

(4.) The person who at the time of the making and publishing of any Proclamation altering the boundaries of any Maori electoral district is the member of the House of Representatives for such district shall (if in all other respects duly qualified) be and be deemed to be the member for such one of the Maori electoral districts affected by such alteration as the Governor in and by any such Proclamation determines, as if such member had been originally elected for such last-mentioned district.

Regulations for conduct of elections.

177. All elections of Maori members shall be conducted according to the following regulations:—

(*a.*) There shall be one Returning Officer, appointed by the Governor, for each electoral district, and the said Returning Officer shall have power to appoint, on the occasion of any election, such Deputy Returning Officers as he deems necessary; and if, owing to illness or other misadventure, such officer is unable personally to attend on such occasion he shall be empowered to appoint a substitute to act in his stead.

(*b.*) Every Returning Officer and Deputy Returning Officer, and every substitute appointed hereunder, shall, before acting in his office, make and subscribe before a Justice the declaration set forth in the form numbered (1) in the third schedule hereto.

(*c.*) Polling places shall be appointed in each electoral district by the Governor, and notice of the places appointed shall be published in the "Kahiti" and "Gazette" for at least eight days previous to the day of nomination.

(*d.*) The Clerk of the Writs shall, when authorised, issue a writ in the form numbered (2) in the third schedule hereto, specifying the day and place of nomination, and the day on which the poll, if required, shall take place.

(*e.*) The writ shall be forwarded to each Returning Officer, and a copy thereof shall be published in the "Kahiti" and "Gazette," and posted in such public places as is thought desirable by the Returning Officer.

(*f.*) On the day of nomination the Returning Officer shall preside at a meeting to be held at noon at the appointed place, and shall declare the purpose for which the meeting is held.

(*g.*) The Returning Officer may declare the meeting adjourned from day to day till the election is completed.

(*h.*) Every candidate shall be proposed by one and seconded by another elector, who shall each previously obtain from the Returning Officer a certificate that he is qualified to vote at the election; and if no more than one candidate is so proposed and seconded the Returning Officer shall declare such candidate duly elected, and make his return accordingly.

(*i.*) In the event of there being two or more candidates proposed and seconded, the Returning Officer shall call for a show of hands, separately, in favour of each candidate, and after such show shall (unless a poll is demanded by one of the candidates, or by some elector, duly certified as such, on his behalf) declare the person in whose favour the show of hands appears to have been largest to be duly elected.

(*j.*) The name of the person so declared to be elected shall be indorsed on the writ by the Returning Officer as the person duly elected in pursuance thereof, and the writ shall be returned by him forthwith to the Clerk of the Writs, to be by him forwarded to the Speaker; and the Returning Officer shall forthwith publish a notice of the result of the poll in the "Kahiti" and "Gazette."

(*k.*) If a poll is demanded as aforesaid, the Returning Officer shall then declare the day on which the same shall be taken, being the day fixed by the writ as aforesaid, and on that day the poll shall be taken at the places appointed as aforesaid, and shall commence at nine o'clock in the forenoon of the day appointed, and shall close at four o'clock in the afternoon of the same day, unless otherwise ordered by the Returning Officer.

(*l.*) If a poll is demanded, the Returning Officer shall immediately make arrangements for the issue to electors at each polling place of voting papers, which shall be in the form numbered (3) in the third schedule hereto, and such papers may be issued at any time or times appointed by the Returning Officer until the close of the poll.

(*m.*) Before giving a voting paper to any Maori the Returning Officer may, and if required by any scrutineer shall, put to him the following questions:—

Are you enrolled as an elector for any electoral district other than a Maori electoral district?

Have you already voted at this election?

and if such questions are not answered in the negative he shall not give the applicant a voting paper.

(*n.*) On the day of the poll the electors shall enter the polling booth one by one, and shall each present his voting paper, and, when requested to do so, shall state the name of the candidate for whom he intends to vote, and his own name.

(*o.*) The Returning Officer or his Deputy shall thereupon write the name of such candidate on the voting paper and sign the same, and pass it to a Maori, to be appointed by him, to be associated with him for this purpose, who shall place his initials or name on such voting paper as witness.

(*p.*) Every person who employs any Maori who is entitled to vote shall afford him a reasonable opportunity of recording his vote; and every person who fails so to do shall be liable to a fine not exceeding five pounds.

(*q.*) Each candidate may, by writing under his hand, appoint one scrutineer, who, if he chooses may, after the closing of the poll, be present at the counting of the votes given to each candidate.

(*r.*) The Returning Officer shall, as soon as conveniently may be after the closing of the poll, and in the presence of such scrutineers as choose to be present, ascertain the numbers polled for each candidate, and shall sign a notice and declaration stating the number of votes polled for each candidate, and declare the person found to have the greatest number of votes to be duly elected; and shall indorse, return, and forward the writ accordingly, and publish a notice of the result of the poll, as provided in paragraph (*j*) of this section.

(*s.*) If two or more candidates have received an equal number of votes the Returning Officer shall give a casting vote.

(*t.*) The Returning Officer or his Deputy shall have power to appoint a sufficient number of officers to keep order, and to make and enforce such regulations for insuring the orderly, effective, and impartial conduct of the election as he thinks fit.

(*u.*) The provisions of this Act relating to electors' rights and to notices by telegraph shall, *mutatis mutandis*, be deemed to be implied herein as fully and effectually as if they were expressly set forth.

(*v.*) Where by this section it is directed that any notice or copy of any instrument is to be published in the "Kahiti," such publication shall be in the Maori language; and where it is directed that any notice or copy of any instrument is to be published in the "Gazette," such publication shall be in the English language.

(*w.*) In any case not provided for in this section the Returning Officer or his Deputy or substitute shall, as far as possible, be guided by the law and practice which obtains in relation to elections of members of the House of Representatives for other electoral districts, and to the general law relating to Parliament.

Sale of liquor to Maoris on polling day.

178. It shall not be lawful to sell or supply to any Maori any intoxicating liquor on the day on which any election is held for a Maori electoral district, and every person who commits a breach of this provision shall be liable to a fine not exceeding five pounds.

Election of Maori members.

179.—(1.) The Governor may at any time after the general election next after the passing of this Act, by Order in Council gazetted, direct that the members representing the Maori electoral districts shall be elected in the manner prescribed by Part II. of this Act; and thereupon, subject to the provisions of sections one hundred and seventy-two to one hundred and seventy-six hereof, all provisions of this Act shall, *mutatis mutandis*, apply to such members and to the electors of and elections in such electoral districts.

(2.) The Governor may make such appointments and regulations as may be necessary for carrying out the provisions of this section at the first general election after the gazetting of such Order, and at every subsequent election in any such district.

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Part VI.

Miscellaneous.

Service of notices.

Electoral notice-letter.

225—(1.) Any summons or notice under this Act may be served by delivering the same to the person to whom it is addressed, or by leaving the same at his place of residence as stated on the roll, or by sending the same to such residence through the post by registered letter, marked on the outside "Electoral Notice-letter," addressed to the person to or upon whom such summons or notice is required to be sent, delivered, or served, and the sending of such summons or notice in manner aforesaid shall be sufficient service.

(2.) If any letter marked as aforesaid is not claimed, notice of the said letter being at the post office for delivery shall be sent to all other post offices in the same electoral district, and posted on a notice board at the said post offices.

Return of registered letter to be evidence of person having left his residence.

(3.) Where any notice or summons is sent by registered letter marked as aforesaid, addressed to any person at his place of residence as stated on the roll, with a special request that such letter may be returned to the sender at the expiration of thirty days if the person to whom the letter is addressed cannot be found, the return of such letter by the Post Office shall be deemed sufficient proof that the aforesaid person has quitted such place of residence.

(4.) The Post Office receipt for an electoral notice-letter shall be evidence of the posting thereof, but not of its contents.

Voting machines.

226.—(1.) The Governor may from time to time, by Order in Council gazetted, direct that at any election a voting machine specified in the Order shall be used by way of experiment, and such Order shall be complied with by the Returning Officer at such election.

(2.) By such Order the Governor shall prescribe the mode in which the machine shall be used.

(3.) On the making of any such Order the Chief Electoral Officer shall provide the Returning Officer with a sufficient number of such voting machines.

Costs may be granted to the Crown.

227. In any proceedings before any Court by a public officer or other person on behalf of His Majesty for the recovery of any fine under this Act, such Court, in awarding the amount thereof, may also in each case award to such public officer or other person the costs of recovering the same.

Expense of administration to be paid out of Public Account.

228. The Governor may from time to time, by warrant under his hand, direct that all such moneys as are from time to time required for paying any expenses lawfully incurred or to be incurred under and in execution of this Act shall be paid out of the Public Account, and the same shall be so paid accordingly.

Unavoidable impediments may be removed by Governor in Council.

229.—(1.) Where any accidental or unavoidable impediment, misfeasance, or omission happens, the Governor in Council may take such measures as are necessary for removing or rectifying the same, or may postpone the day on which any electoral roll is to come into force, or may declare any such roll valid, or may declare any or all of the proceedings at or about any election valid, notwithstanding such impediment, misfeasance, or omission.

(2.) Every such Order in Council shall state specifically the nature of the impediment, misfeasance, or omission, and shall be forthwith published in the "Gazette."

Time may be extended in cases of a technical nature.

230. Within twenty-one days before or after the day appointed for doing any act, matter, or thing required by this Act to be done on or before a certain day, the Governor in Council may extend the time allowed for doing any such act, matter, or thing, and adopt or cause to be adopted such measures as are necessary to remove any obstacle or difficulty of a technical or formal nature by which the carrying out of the provisions of this Act may be hindered, and supply any deficiency that ought to be supplied in order to enable the said provisions to be carried out.

Regulations.

231. The Governor may from time to time, by Order in Council gazetted, make regulations—

(*a.*) Imposing on the Chief Electoral Officer, in lieu of the Registrar, any duty by this Act imposed on a Registrar;

(*b.*) Prescribing when and what returns shall be made to the Chief Electoral Officer by Registrars, and the form of such returns;

(*c.*) Prescribing forms for the purposes of this Act, or altering any forms in this Act, but so that any form so altered shall be to the same effect as the corresponding form in this Act; and

(*d.*) Generally for the efficient carrying out of this Act.

Act not to apply to outlying islands.

232. This Act shall not apply to any of the outlying islands of New Zealand not now contained within any electoral district.

Coming into operation of this Act.

233. Except as to sections thirty, thirty-one, seventy-nine, and one hundred and twenty-five hereof, this Act shall not come into operation until after the expiry of the present Parliament.

Repeals.

234. The enactments mentioned in the fifth schedule hereto are hereby repealed: Provided that—

(*a.*) Except as to section thirty of "The Electoral Act, 1902," the repeal of that Act and of sections two and three of "The City Single Electorates Act, 1903," shall not take effect until the expiry of the present Parliament:

(*b.*) Such repeal shall not affect any appointment made under "The Electoral Act, 1902," and in force on the coming into operation of this Act:

(*c.*) Every roll existing at the coming into operation of this Act shall be deemed to have been made under this Act, and shall remain in force until a new roll is made under this Act:

(*d.*) All electors' rights issued to seamen under any Act hereby repealed, and in force at the coming into operation of this Act, shall be deemed to have been issued under and subject to the provisions of this Act.

Claims for enrolment made prior to Act commencing.

235. All claims for enrolment made, but not finally disposed of, before this Act comes into operation shall be dealt with as if they had been made under this Act.

EMIGRATION.

REPORT

ON THE

EMIGRANTS' INFORMATION OFFICE

FOR THE YEAR ENDED 31ST DECEMBER 1907.

(*For Report for* 1906, *see* [Cd. 3342] *March* 1907.)

Presented to both Houses of Parliament by Command of His Majesty.

March, 1908.

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1908.

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REPORT

ON THE

EMIGRANTS' INFORMATION OFFICE

FOR THE YEAR ENDED 31st DECEMBER 1907.

The Managing Committee of the Office was constituted as follows :—

The Secretary of State for the Colonies (President).

Rev. W. Osborn B. Allen.
*F. G. A. Butler, of the Colonial Office (Chairman).
*C. Waley Cohen.
*J. J. Dent.
Professor Hugh E. Egerton.
B. T. Hall.
Howard Hodgkin.
*The Hon. H. L. W. Lawson.
John Martineau.
*Isaac Mitchell.
Sir J. Rankin, Bart.
The Earl of Stamford.
Howel Thomas, of the Local Government Board.
*R. V. Vernon, of the Colonial Office.
Miss C. Webb.
Arnold White.

The names against which an asterisk is placed are those of members of the sub-Committee which supervises the ordinary work of the Office. Mr. Lambert retired from the Committee in November. He was succeeded as Chairman by Mr. Butler, and Mr. R. V. Vernon was appointed as the second Colonial Office representative on the Committee.

Mr. M. Jones continued to be Chief Clerk, and Mr. Walter Paton, M.A., to be Editor of the Committee's Publications. Mr. R. V. Vernon, of the Colonial Office, succeeded Mr. H. E. Dale as Assistant Editor.

Mr. T. G. Town, formerly a member of the Committee, continued to act during the year as a paid correspondent in South Africa.

Publications.

The following is a list of the publications issued by the Office during the past year, with their prices :—

I. A Quarterly Poster—exhibited in all Post Offices ... Free.

II. Quarterly Circulars on Canada and the Australasian and South African Colonies. An endeavour is now made to keep the information in the Circulars up to date by the issue of a monthly supplement containing later information of importance. The Circulars and supplements are sent regularly to anyone desiring them ... ... Free.

III. Circular on the Emigration of Women ... ... Free.

IV. The following Handbooks on the Colonies :—

Canada	price 1*d.*	Tasmania	price 1*d.*
New South Wales ...	„ 1*d.*	New Zealand ...	„ 1*d.*
Victoria	„ 1*d.*	Cape Colony ...	„ 1*d.*
South Australia ...	„ 1*d.*	Natal	„ 1*d.*
Queensland ...	„ 1*d.*	Transvaal	„ 1*d.*
Western Australia ...	„ 1*d.*	Orange River Colony	„ 1*d.*

Each of the above Handbooks contains a Map.

Professional Handbook : *showing* the necessary Colonial qualifications for barristers and solicitors, chemists, civil engineers, civil servants, dentists, medical men, nurses, police, railway employees, surveyors, teachers, &c. ... ... price 3*d.*

Emigration Statutes and General Handbook : *dealing* with all British Statutes on Emigrant Ships, and Emigration, Emigration Societies, &c. ... „ 3*d.*

The above 14 Handbooks, with all the Maps, bound together ... ... „ 2*s.*

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V. Pamphlet on the West Indies, with map ... ... price 6*d.*
Pamphlet on Newfoundland, with map ... ... „ 1*d.*
Pamphlet on Ceylon, with map ... ... „ 1*d.*
Pamphlet on the Federated Malay States, with map ... „ 6*d.*
Notes on the West African Colonies ... ... „ 6*d.*
Pamphlet on the East Africa Protectorate ... ... „ 6*d.*
Pamphlet on the Uganda Protectorate ... ... „ 6*d.*
Pamphlet on the Nyasaland Protectorate (British Central Africa), with map ... ... „ 6*d.*

VI. On Foreign Countries.
United States Circular ... ... Free.
Summary of Consular Reports (North and South America) „ 6*d.*
Handbook on the Argentine Republic ... ... „ 2*d.*

Boards with the posters and notices issued by the Office were exhibited at over a thousand public libraries and other public or semi-public institutions, a list of which is printed as Appendix II. of this report, and 374,550 free circulars were distributed during the year.

Expenditure.

The actual expenditure during the year 1907 was as follows :—

	£	*s.*	*d.*
HEAD OFFICE—			
Salaries	1,098	9	8
Rent	325	0	0
Miscellaneous	93	11	11½
BRANCHES—			
Fees	70	0	0
Miscellaneous	20	0	8
	£1,607	2	3½

Of this total, £430 14*s.* 4*d.* was expended in the last three months of the financial year 1906–1907, and £1,176 7*s.* 11½*d.* in the first nine months of the financial year 1907–1908. The expenditure for the financial year, which includes expenditure due to the Chief Clerk's visit to Canada, will exceed the Parliamentary grant of £1,500, and the excess will be met from balances.

ales.

The receipts from the sale of publications at the Office and its branches amounted to £147 15*s.* 11*d.*, as against £145 7*s.* 7*d.* in 1906. This total is exclusive of what has been sold by the Stationery Office, to whom all orders exceeding 5*s.* are sent, and through whom some of the Agents-General, and others, order a considerable number of books.

orrespondence nd enquiries

At the Office, exclusive of its branches, 18,874 letters were received in 1907, against 17,238 in 1906, being an increase of 1,636 (or 9·5 per cent.). Of this total 16,902 were applications by or on behalf of intending emigrants, against 15,093 in 1906, being an increase of 12·0 per cent. The number of personal enquiries was 4,864. Of the personal enquirers 15·4 per cent. described themselves as general labourers ; 31·0 per cent. as skilled mechanics ; 4·6 per cent. as clerks ; 4·2 per cent. were female domestic servants (for whom there is practically a demand everywhere) ; and the rest were miscellaneous. Canada formed the subject of by far the largest number of enquiries, and after Canada, Australasia. The number of enquiries about Australasia generally was nearly double the number in 1906, and the enquiries about Queensland and New South Wales in particular showed an even more remarkable rate of increase.

The total number of communications despatched during the year was 67,903, as against 53,923 in 1906. A table showing the fluctuations of the work of the Office from year to year will be found in Appendix III. It will be seen that the number of letters received in 1907 was greater than in any other year since the foundation of the Office except 1902 and 1903, when South Africa was attracting an exceptional amount of attention, and that the number of communications despatched largely exceeded even the figures of those years.

Passenger returns.

The Board of Trade passenger returns for 1907 show an increase in the number of passengers of British origin who left the United Kingdom for places out of Europe as compared with 1906, the total being 395,447 as against 325,137. The most striking increase was that to Canada, viz., from 114,859 to 151,166. South Africa shows a decrease. The figures for Australia and New Zealand (not separately shewn) rose from 19,331 to 24,777, and for the United States from 144,817 to 170,232. In the case of South Africa the figures declined from 22,804 to 20,924. The total number of passengers of all nationalities leaving the United Kingdom for places out of Europe was 634,700 against 557,737 in 1906. The Canadian Government give the number of emigrants from the United Kingdom to Canada as 131,777, as against 97,757 in 1906.

Emigration of Unemployed.

Emigration work was continued by the bodies established under the Unemployed Workmen Act, 1905. The figures for the full year 1907 are not at present available for England. In the first nine months of the year 1,751 emigrants, with 3,493 dependents, were sent out by the Central (Unemployed) Body for London at a cost of £37,457, and 556 emigrants, with 1,609 dependents, were sent out by Provincial Distress Committees at a cost of £15,462. The figures for nine months were thus about double those for the full year 1906. The destination in nearly every case was Canada.

In Scotland, 60 men with 122 dependents were sent out by Distress Committees at a cost of £1,294.

No emigration under the Act was carried out in Ireland.

Passages.

Canada, South Australia, Tasmania, and the Cape Colony gave no assistance towards the cost of passages. Free passages were granted by Queensland during part of the year to men willing to work on the sugar farms in the North, and at the end of the year to agricultural labourers contracted for in the Colony, to the wives and children of assisted, nominated, and contract emigrants, and to female servants. Assisted and nominated passages were given by Queensland, New South Wales, Western Australia, Natal, and the Orange River Colony to certain classes of emigrants and under specified conditions, and assisted and reduced passages by the Transvaal under similar restrictions. Queensland, New South Wales, and Western Australia still further increased in 1907 the measure of assistance given by them in this respect. The assistance afforded by the Government of the Orange River Colony was, however, discontinued in the latter part of the year, except in the case of domestic servants. Assisted passages were offered by Victoria, but were suspended at the close of the year. The reduced passages to the Transvaal for domestic servants and certain other classes of emigrants were also withdrawn in the course of the year. Reduced passages continued to be granted to New Zealand to approved emigrants possessing a little money, and to domestic servants.

Retirement of Mr. Lambert.

Towards the close of the year the Office sustained a serious loss by the retirement of Mr. Lambert, who, on being promoted to be a Principal Clerk in the Colonial Office, relinquished the office of Chairman of the Managing Committee, which he had held for eleven years. The Secretary of State's appreciation of his work, and the Committee's sense of the value of his services, are recorded in the correspondence which is printed as Appendix I. to this report.

Chief Clerk's visit to Canada.

Mr. Jones, the Chief Clerk, spent his annual holiday in a tour to Canada, in the course of which he visited Montreal, Quebec, Ottawa, Toronto, Hamilton, Winnipeg, and Regina. On his return he presented a report which was laid before the Committee. His remarks on certain points of special importance were embodied in a memorandum (printed as Appendix IV.) which was circulated to emigration societies, to the Central (Unemployed) Body for London, and (through the Local Government Board) to Boards of Guardians applying for permission to engage in emigration work.

Report of the Agricultural Settlements Committee.

In last year's report mention was made of the recommendations of Lord Tennyson's Committee as to the extension of the work of the Office. No steps have yet been taken to carry the recommendations into effect.

Queensland sugar farms.

Early in the year an endeavour was made, under the auspices of the Queensland Government, to recruit labourers in this country for work on the sugar farms in Northern Queensland. The Committee felt it incumbent on them to place on record their opinion that emigrants from this country are not suited for work on sugar plantations in the tropics. The attitude of the Committee on this question was criticised by Mr. Deakin, the Prime Minister of Australia, at the meeting of the Imperial Conference on the 25th of April, but their action in the matter was explained and defended by Mr. Burns, the President of the Local Government Board. The Committee see no reason to modify their opinion that the ordinary emigrant from this country is not suited for such labour in the tropics.

Imperial Conference.

The question of emigration in general was also discussed at the meeting of the Imperial Conference on the 25th of April, and the following Resolution was passed :—

" That it is desirable to encourage British emigrants to proceed to " British Colonies rather than foreign countries ;

" That the Imperial Government be requested to co-operate with any " Colonies desiring immigrants in assisting suitable persons to emigrate."

The Resolution was, by Lord Elgin's direction, communicated to the Committee, for their information, in a letter which is printed as Appendix V.

Canada.

As bearing on the work of the year, correspondence with Mr. J. Bruce Walker, on the occasion of his relinquishing the appointment of Canadian Assistant Superintendent of Emigration in this country, is printed as Appendix VI.

The year in Canada was very good for all classes. The demand for labour for railway construction was specially keen. The Canadian Government pursued their policy of seeking to attract farmers, farm labourers, railway labourers, and domestic servants, and continued the system of bonuses to booking agents in this country on emigrants of these classes booked to Canada. Arrangements were also made for placing farm labourers on the land on their arrival by means of Government employment agents and immigration officials. While actively encouraging the immigration of these classes, the Dominion Government have made it clear that they do not take the responsibility of expressing an opinion as to the probability of artisans, mechanics, and skilled workmen obtaining employment and doing well in Canada, and that the attraction of workers of these classes is not a part of their immigration policy. Towards the end of the year, owing partly to the financial crisis in the United States, there was a decline in the conditions of trade and industry, which resulted in a surplus of labour, especially in the Eastern Provinces. Special care has accordingly been taken to warn intending emigrants not to go out before April, and a regulation has been made by the Canadian Government that anyone arriving in Canada up to the 15th of February must possess $50 on landing, and between that date and the 1st of April $25, in addition to railway fares, unless he can satisfy the immigration officers that he is going to friends or to assured employment.

The number of homestead entries in Manitoba, Saskatchewan, Alberta, and British Columbia declined from 42,012 in 1906 to 29,414 in 1907, a decrease of 12,598. By far the largest number of entries (more than one-third of the whole) was credited, as in 1906, to Canadians. Americans were credited with about one-fourth of the entries, and settlers from the United Kingdom with about one-fifth. The most marked falling-off in the entries for 1907 was shewn by the American entries, but the decline of the Canadian entries was little less pronounced.

Australia.

Conditions were much improved, even in comparison with 1906, which was itself a prosperous year. There was a good demand for farm and station hands, for skilled carpenters, blacksmiths, and bricklayers, and in parts for miners. The demand for female servants continued, and the Government of New South Wales took special steps to meet it.

New Zealand.

Employment was good in every direction. There was no special demand for more workers except for milkers and farm hands, for female servants, and for female machinists and workers in the boot and clothing factories.

The depression previously recorded continued. There was no demand for immigrants of any kind except female domestic servants, and in the latter part of the year it became questionable to what extent there was a genuine demand even for them. South Africa.

The other parts of the Empire which formed the subject of enquiries were, in the order of the number of enquiries, East Africa, Ceylon, the West Indies, West Africa, the Federated Malay States, Uganda, Newfoundland, and Nyasaland (British Central Africa). Other Colonies, &c.

The enquiries as to the prospects of employment in the United States showed a marked falling off from the number of those of the previous year. This was no doubt due to the fact that the figures for 1906 were swollen by the anticipations formed in that year as to the probability of a great demand for labour in connection with the reconstruction of San Francisco after the earthquake. In addition, the financial crisis towards the end of 1907 greatly depressed the conditions of industry. It was found necessary to issue a warning to the effect that no one should go from this country to San Francisco or the adjoining States in search of work for some months to come. Several useful reports were obtained from other districts also as to the effects of the financial depression. In every instance, with the exception of certain Southern States, which in any case would not be suitable for the ordinary British emigrant, it appeared that the crisis had had a serious effect on employment. Industrial, commercial, and railway enterprise had received a severe check. In some cases factories had been closed ; more generally, they were running short time or had reduced their staff. The effect of the depression was seen rather in a reduction of the number of men employed than in the lowering of wages. Large numbers of workers were reported to be leaving the country and some of the large towns were confronted with the problem of dealing with great numbers of unemployed during the winter. It was clear, as a general result, that emigrants from the United Kingdom ought not to go to the United States in the hope of finding work for some months to come, and not then unless there had been a marked and sustained recovery from the depression. United States.

Enquiries were received from time to time as to the prospects afforded by the South American States such as the Argentine, Chili, and Brazil. Even though there are in some of these countries openings for individuals who secure in advance a definite promise of employment, it is necessary to point out that an emigrant from this country will meet with language, laws, and conditions of life and employment totally different from those to which he has been accustomed, and that he will therefore, as a rule, find it more to his advantage to consider the possibilities presented by Canada and Australasia. Other foreign countries.

F. BUTLER.

31, Broadway, Westminster,
February 28th, 1908.

APPENDIX I.

Mr. LAMBERT to the COLONIAL OFFICE.

31, BROADWAY,
WESTMINSTER, S.W.,
24th September, 1907.

SIR,

IT has been my intention, as Lord Elgin is aware, since my promotion in the Colonial Office at the beginning of the year, to resign my appointment as Chairman of the Committee of this Office which I have held since 1896. I have, however, continued to hold the post because it was thought, more particularly in view of the discussion on emigration at the Imperial Conference, that it would be convenient that I should carry on the work for a time. That special reason having ceased to operate I had proposed to send in my resignation as from the 1st of October next, but I think that it will be more convenient if I defer doing so until November, when the General Committee, the members of which are now mostly away, will meet in the ordinary course. It is desirable that I should meet the Committee again before resigning, and Lord Elgin may think it well that I should communicate to them the name of the gentleman whom he intends to designate as my successor.

I should be glad to learn whether it would be convenient that I should formally tender my resignation in the course of November.

I have, &c.,
HENRY LAMBERT,
Chairman.

The Under Secretary of State,
Colonial Office.

COLONIAL OFFICE to Mr. LAMBERT.

DOWNING STREET,
27th September, 1907.

SIR,

I AM directed by the Earl of Elgin to acknowledge the receipt of your letter of the 24th of September, stating that if his Lordship concurs you propose to resign your appointment of Chairman of the Managing Committee of the Emigrants' Information Office after the next Meeting of the Committee which will be held in November.

2. I am to inform you that Lord Elgin approves of the course which you intend to take. His approval should be notified to the Committee, who should also be informed that the Secretary of State proposes to nominate as your successor Mr. F. G. A. Butler, who is already the salaried Colonial Office representative on the Committee.

3. Lord Elgin cannot allow you to resign your appointment without expressing his strong appreciation of the care and attention which you have given to the work of the Office during the eleven years for which you have presided over it. His Lordship is confident that the Committee will agree with him in thinking that your Chairmanship has been marked by conspicuous ability and success, and that you have contributed in a great measure to the undoubted usefulness of the Office, and to the confidence in it which is evidenced by the growth of its work.

4. His Lordship would wish this letter to be laid before the Committee, and would suggest that the correspondence should be published with the next annual report on the working of the Office.

I am, &c.,
C. P. LUCAS.

H. Lambert, Esq.

Mr. Lambert to Colonial Office.

31, Broadway,
Westminster, S.W.,
12th November, 1907.

Sir,

I have the honour to acknowledge the receipt of your letter of the 27th September, and to request that you will express my thanks to the Earl of Elgin for the very kind expression of his appreciation of my work at this Office which it contains. I laid the correspondence, as instructed, before my Committee on the 7th instant, who passed the following Resolution:—

> "That this Committee wishes to express its high appreciation of the manner in which Mr. Lambert has filled the office of Chairman since 1896, and its sense of the courtesy and consideration which he has shown, and regrets his retirement from the chair."

I beg now formally to tender my resignation.

This will create a vacancy on the Committee which, in view of their desire, of which you are aware, to have two Colonial Office members, I would venture to suggest should be filled by the appointment of Mr. R. V. Vernon, who has already done work for the Office.

I have, &c.,

Henry Lambert,
Chairman.

The Under Secretary of State,
Colonial Office.

Colonial Office to Emigrants' Information Office.

Downing Street,
20th November, 1907.

Sir,

I am directed by the Earl of Elgin to state, for the information of the Committee of Management of the Emigrants' Information Office, that he has received from Mr. Henry Lambert a letter formally tendering his resignation of his appointment as Chairman of the Committee, and communicating a resolution expressing the Committee's high appreciation of Mr. Lambert's services and their regret at his retirement from the chair.

Lord Elgin is pleased to note that the Committee fully share his own appreciation of Mr. Lambert's services. His Lordship has now definitely appointed Mr. F. G. A. Butler to be Chairman in Mr. Lambert's place, and Mr. Roland V. Vernon to be the second representative of the Colonial Office on the Committee.

I am, &c.,

C. P. Lucas.

The Chairman of
The Committee of Management of
The Emigrants' Information Office.

APPENDIX II.

Revised to 31st December, 1907.

FREE PUBLIC LIBRARIES (rate-supported) where boards with posters and notices are exhibited and the circulars are distributed (in all 325). These are in addition to the Public Libraries at Manchester and Swansea, and the Mitchell Library at Glasgow, and the Imperial Institute, where the handbooks can be purchased and where 34 notice boards are exhibited. Also a notice board is exhibited and the free circulars distributed at the Government Emigration Office at Liverpool, the West India Committee Rooms, 15, Seething Lane, London, E.C., and a few miscellaneous institutions.

[The figures placed against the names refer to the number of notice boards exhibited at the Head Library and its branches.]

LONDON DISTRICT.

Acton, Battersea (3), Bermondsey (2), Camberwell, Chelsea (2), Chiswick, Christchurch, (Blackfriars Road), Clapham, Clerkenwell, Deptford (6), Edmonton, Fulham (3), Hampstead, Holborn (2), Kensal Rise, Kensington (3), Lambeth (5), Leyton, Livesey (Old Kent Road), Newington, Paddington, Penge, Poplar (3), Putney, St. George-in-the-East (3), St. George the Martyr, St. Martin's-in-the-Fields, Shoreditch, Stoke Newington, Streatham, Tottenham (2), Walthamstow, Wandsworth (4), West Ham (3), Whitechapel, Willesden Green, Wood Green, Woolwich (2).

OTHER DISTRICTS.

Aberdeen, Aberystwyth, Accrington, Airdrie, Altrincham, Arbroath, Ashton-under-Lyne, Aston Manor (2), Auchinleck, Barking, Barnsley, Barrow-in-Furness, Barry (Glam.) (4), Bideford, Birkenhead, Birmingham (8), Blackburn, Blackley, Blackpool, Bolton (4), Bournemouth, Bradford (Yorks), Bridgwater, Brierley Hill, Brighton, Bristol, Bromley, Buxton, Camborne, Cambridge, Canterbury (2), Cardiff (7), Carlisle, Carnarvon, Cheltenham, Cheshunt, Chester, Chesterfield, Chorlton, Coatbridge (Carnegie Library), Colchester, Colne, Corwen, Coventry, Croydon (3), Dalton-in-Furness, Darwen, Derby, Devonport (2), Dewsbury, Dingwall, Dudley (2), Dundalk, Dundee (2), Dunfermline, Eastbourne (2), Elgin, Enfield, Exeter, Falmouth (2), Folkestone, Forfar, Frizington, Gateshead, Gloucester, Gosport, Grangemouth, Gravesend, Grays, Great Crosby (Liverpool), Great Yarmouth (2), Halifax (2), Handsworth (2), Hanley, Harrogate, Hartlepool (West), Hawick, Heston and Isleworth, Hindley, Holyhead, Hucknall Torkard, Hyde, Inverness, Ipswich, Kendal, Kettering, Kidderminster, Kilmarnock, Kingston-on-Thames, Lancaster, Leamington, Leek, Leicester (3), Leigh, Leominster, Limerick, Liverpool (6), Llanelly, Longton, Loughborough, Lurgan, Macclesfield, Maidstone, Malvern, Mansfield, Middlesbrough, Middleton (near Manchester), Middlewich, Millom, Montrose, Moss Side, Much Woolton, Nantwich, Neath, Nelson, Newark, Newburgh (Fife), Newcastle-on-Tyne, Newcastle-under-Lyme, Newport (Mon.), Newton Abbot, Northampton, Northwich, Norwich, Nottingham (4), Oldbury (Worcs.), Oswestry, Oxford, Paisley, Penarth, Penrith, Penzance, Perth, Peterborough, Plymouth, Pontypridd, Poole, Portsmouth, Preston, Queenborough, Reading, Redruth, Rochdale. Rochester, Rotherham, Rothwell, Rugby, Runcorn, St. Albans, St. Helens, Sale, Salford (7), Salisbury, Selkirk, Sevenoaks, Sheffield (5), Shrewsbury, Southampton (2) Southend, Southport, South Shields, Sowerby Bridge, Stafford, Stockport, Stoke-on-Trent, Tamworth, Thornaby-on-Tees, Thurso, Tipton, Todmorden, Tonbridge, Tunstall, Twickenham, Tynemouth, Walsall, Wardle, Warrington, Warwick, Waterford, Waterloo and Seaforth (2), Watford, West Bromwich (4), Weston-super-Mare (3), Whitehaven, Wick, Widnes, Wigan, Willenhall, Willesden, Wimbledon, Winchester, Winsford, Wolverhampton, Worcester, Workington, Worksop, Wrexham, York.

Other LIBRARIES and READING ROOMS (in all 103):—

Aberaman (Institute and Library), Aberfoyle (Reading Room), Abingdon (Free Library), Airlie, N.B. (Public Library), Ascot (Durning Library), Auchterarder (Library and Institute), Bamburgh Northumberland (Reading Room), Banchory (Town Hall Library), Barnet (Labour Bureau), Bethnal Green (Oxford House University Settlement), Bethnal Green (Public Library), Birnam (Birnam Institute), Bishopsgate (Bishopsgate Institute), Blaina, Mon. (Reading Institute), Botolph Claydon (Public Library), Bremhill (Reading Room), Buckie, N.B. (Public Library), Bunbury (Lending Library), Bury Public Library and Art Gallery, Carsethorn, N.B. (Library), Carshalton (Reading Room), Charlcote (Library), Chichester (Institute), Crayke (Reading Room), Crieff, N.B.

(Taylor's Trust Free Library), Cullen (Reading Room), Cwmaman (Public Hall and Institute), Cwmparc, Glam. (Public Library), Dalry (Public Library), Derby (St. George's W.M.C.), Devizes (Literary and Scientific Institution), Dorchester (Working Men's Library and Reading Room), Downham Market Literary Institute and Stanley Library, Dunbeath (Public Library), East Ham (Plashet Library), East Witton (Reading Room), Etton (Reading Room), Faringdon (Uffington Vicarage), Ferndale (Library), Fochabers (Public Library), Giggleswick (Reading Room), Gilling (Reading Room), Girvan (McKechnie Library and Reading Room), Godshill (Parish Library), Grantown-on-Spey (Victoria Institute), Guernsey (Guille-Allés Library), Gumley (Reading Room), Haddington (2) (Free Library), Hanley (Y.M.C.A.), High Wycombe (Free Library), Holy Island (Reading Room and Library), Hutton Rudly Reading Room, Innerpeffray, N.B. (The Library), Irvine (Town Hall Library), Keith (Public Library and Reading Room), King's Lynn (Stanley Library), Kinsale (Public Library), Kirkcudbright (Public Library), Langholm (Telford Library), Larne (News Rooms), Laurencekirk (South Kincardine Club), Leadhill (Miners' Library), Lewes (Fitzroy Memorial Free Public Library), Leyburn (Library and News Room), Lincoln (Church House and Institute), Lisburn (News Room), Llantarnam, Lockerbie (Public Library), Loughton (Public Hall), Luthermuir (Public Library), Mardy (Mardy Library), Middlestone Moor and Binchester W.M.C., Mile End (People's Palace), Morland (Reading Room), Muirkirk (Library Institute), Nantymoel (Reading Room), New Tredegar (Workmen's Hall), Nutley, Uckfield (Royal Oak Coffee Hall), Oldham (Lyceum Library), Olives Mill (Workmen's Rooms), Pollokshaws (Campbell Library), Port Glasgow (Moffat Library), Powerstock (Technical Institute), Rhymney (The Library), Robin Hood's Bay (Public Village Library), Rutherglen, N.B. (Public Library), Salford (Unemployed Committee, Town Hall), Sanquhar, N.B. (Public Library), Shapinshay, N.B. (Public Library), Shebster, N.B. (Brubster Library), Stewarton (Cunninghame Institute), Stornoway (Public Library), Ulverston (Ulverston Library), Uttoxeter (Reading Room), Wallingford (Free Library and Literary Institute), Wanlockhead (Miners' Library), Westerkirk (Telford Library), Westminster (Church House), Whalley (Reading Room), Whalton (Reading Room), Withington (Public Hall and Library), Woodside, Aberdeen (Anderson Library).

MECHANICS' INSTITUTES (in all 34).

Accrington, Ashton-under-Lyne, Bacup, Blairgowrie, Castle Douglas, Castleford, Coldstream, Denholme (Bradford), Dodworth, Dumfries, Dysart, Elland, Frome, Gomersal, Greenock, Guiseley, Halifax, Horsforth, Horwich, Linlithgow, Longwood, Looe, Luddenden Foot, Mountain Ash, Nottingham, Otley, Pembroke Dock, Pudsey, Ripon, Skipton, Spalding, Stone, Whaley Bridge, Woodbridge.

EDUCATIONAL DEPARTMENTS OF CO-OPERATIVE SOCIETIES (in all 113).

Alloa, Ashington, Ashton-under-Lyne, Barnsley, Barrhead, Batley, Bedlington, Birmingham, Blaina (Mon.), Bolton (2), Brierfield, Brighouse, Bristol, Bury, Carlisle, Chester-le-Street, Cleator Moor (3), Cleckheaton, Clydebank, Coatbridge, Colchester, Colne, Congleton, Cornforth and Coxhoe, Coventry, Darwen, Doncaster, Dover, Dumbarton, Dunfermline, Durham, Eccles, Egremont, Gainsborough, Glasgow (2), Gloucester, Gravesend (2), Grays, Great Harwood, Hartlepool, Hebden Bridge, Huddersfield, Hyde, Ilkeston, Ipswich, Jarrow, Keighley, Kilmarnock, Lancaster, Langley Mills (Notts.), Leeds (2), Leicester (2), Loftus, Long Eaton (4), Macclesfield, Masbrough, Middlesbrough, Middleton, near Manchester, Motherwell, N.B., Nelson, New Brompton, Newport (Mon.), Norwich, Oldham (2), Oxford, Paisley, Perth, Peterborough, Plymouth, Portsea Island (Portsmouth), Preston (6), Ramsbottom, Ripley, River and District (Dover), Royton, St. Cuthbert's (Edinburgh), Sandbach, Seaton Delaval, Sheerness-on-Sea, Sittingbourne, Sowerby Bridge, Sunderland, Tamworth, Tranent, Trowbridge, Vale of Leven, Wakefield, Wallsend, Warrington, Wellingborough, West Calder, West Pelton, West Stanley, Winnington, Wolverhampton, Woolfold, Worcester.

TOWN COUNCILS (in all 108).

Aberavon, Abergavenny, Aberystwith, Abingdon, Arundel, Barnsley, Basingstoke, Bedford, Bewdley, Bideford, Birkenhead (2), Birmingham (2), Bishop's Castle, Blandford, Bolton, Bridport, Brighouse, Brighton, Buckingham, Burnley, Burton-on-Trent, Cardigan, Carmarthen, Chatham, Chipping Norton, Chorley, Clitheroe, Congleton, Conway, Dartmouth, Daventry, Denbigh, Doncaster, Dover, Dunstable, Eccles, Evesham, Eye, Flint, Glossop, Godalming, Grantham, Guildford, Hartlepool, Harwich, Haslingden, Hastings, Hedon, Hemel Hempstead, Hereford, Hertford, Heywood, Hudders-

field, Hull, Hythe, Ilkestone, Jarrow, Kidwelly, Lampeter, Launceston, Lichfield, Lincoln, Llanidloes, Longton, Louth, Lowestoft, Ludlow, Luton, Lydd, Lyme Regis, Lymington, Maidenhead, Marlborough, Monmouth, Montgomery, Mossley, Newport (I. of W.), Newport, Mon. (4), Northampton, Ossett, Penryn, Pudsey, Pwllheli, Ripon, Romsey, Ruthin, Saffron Walden, Scarborough, Smethwick, South Molton, Stamford, Stockton-on-Tees, Stratford-upon-Avon, Sunderland, Tenterden, Tiverton, Totnes, Truro, Tunbridge Wells, Wakefield, Wallingford, West Hartlepool, Windsor.

URBAN DISTRICT COUNCILS (in all 314).

Abercarn, Aberdare, Abergele, Abram, Adlington, Alford, Alfreton, Alsager, Alvaston, Amble, Ambleside, Annfield Plain, Arnold, Ashby-de-la-Zouch, Ashby Woulds, Ashton-in-Makerfield, Aston Manor, Atherton, Audley, Awre, Aylesbury, Bakewell, Balby-cum-Hexthorpe, Baldock, Barking Town, Barkisland, Barnard Castle, Barnoldswick, Barrowford, Barton-on-Humber, Battle, Beaconsfield, Beeston, Belper, Bethesda, Bicester, Biddulph, Billinge, Bingley, Birkdale, Birkenshaw, Bishop Auckland, Blackrod, Blaenavon, Bolsover, Bourne, Bracebridge, Bredbury and Romily, Brentford, Bridgend, Brierfield, Brixham, Broadstairs and St. Peters, Bromsgrove, Broughton, Budleigh Salterton, Bulkington, Burgess Hill, Burnham, Burnham-on-Crouch, Cannock, Carlton, Carshalton, Caterham, Chadderton, Chepstow, Chesterton, Clacton, Clay Cross, Clayton, Clayton-le-Moors, Cleator Moor, Cleckheaton, Cockermouth, Cramlington, Crewkerne, Criccieth, Darfield, Denby and Cumberworth, Desborough, Dorking, East Barnet Valley, East Cowes, East Dereham, East Grinstead, Eastleigh and Bishopstoke, East Stonehouse, Ebbw Vale, Edmonton, Emley, Erith, Esher and Dittons, Eston, Fareham, Farnborough, Farnworth, Featherstone, Felling, Fenny Stratford, Filey, Finchley, Friern Barnet, Frome, Gillingham, Greasboro-Great Crosby, Greetland, Guisborough, Gunthwaite, Hampton, Hampton Wick, Handsworth (Yorks.), Hanwell, Harpenden, Hay, Hayle, Hayward's Heath, Heage, Heavitree, Hebburn, Heckmondwike, Hessle, Heston and Isleworth, Highbridge, Hinckley, Hinderwell, Hipperholme, Holmfirth, Holyhead, Holywell, Honley, Horncastle, Hornsea, Horsforth, Horwich, Houghton-le-Spring, Hoylake and West Kirby, Hoyland Nether, Hoylandswaine, Hucknall-under-Huthwaite, Hurst, Ilfracombe, Ilkley, Itchen, Kearsley, Keswick, Kidsgrove, Kingswood, Kirkham, Knottingley, Knutsford, Leiston-cum-Sizewell, Leyland, Litherland, Littleborough, Little Hulton, Little Lever, Liversedge, Llandudno, Llanfrechfa Upper, Llangefni, Llangollen, Llanrwst, Long Eaton, Longridge, Looe, Lower Bebington, Lye and Wollescote, Lymm, Lytham, Mablethorpe, Machynlleth, Mallwyd, March, Market Harborough, Matlock, Meltham, Melton Mowbray, Menai Bridge, Merthyr Tydfil, Methley, Milnrow, Milton, Morecambe, Mountain Ash, Neston and Parkgate, Newburn, Newhaven, Newmarket, Newport (Salop), Newquay, Newton Abbot, Newton-in-Makerfield, Newtown and Llanllwchaiarn, Norden, Normanton, North Bromsgrove, Norton, Nuneaton and Chilvers Coton, Oakengates, Ormesby, Ormeskirk, Orrell, Oswaldtwistle, Oundle, Oystermouth, Padstow, Paul, Peniston, Penmenmawr, Phillack, Pontypool, Porthcawl, Portishead, Portland, Portslade, Prestatyn, Queensbury, Quorndon, Radcliffe, Ramsbottom, Raunds, Ravensthorpe, Rawmarsh, Redcar, Redditch, Rhondda, Rhyl, Ross, Rothwell, Rowley Regis, Royton, Ruskington, Ryton, St. Helens, St. Neots, Sandal Magna, Sandbach, Sandgate, Sandwich, Scunthorpe, Seaford, Shanklin, Sheerness, Shelf, Sherborne, Shipley, Shoeburyness, Short Heath, Skelton and Brotton, Skipton, Sleaford, Soothill Upper, Southall and Norwood, South Darley, Southowram, Spennymoor, Standish-with-Langtree, Stanhope, Stourport, Stretford, Sudbury, Sudbury-on-Thames, Surbiton, Swaffham, Swanage, Swinton and Pendlebury, Tavistock, Tewkesbury, Thame, Thornhill, Thurstonland, Tottington, Tredegar, Trowbridge, Tyldesley, Ulverston, Up Holland, Urmston, Usk, Wallasey, Wallsend, Waltham Holy Cross, Walton-le-Dale, Warminster, Wath-upon-Dearne, Wealdstone, Wednesfield, Wellingborough, Wellington, Welshpool, Wem, Wembley, Westbury, Westhaughton, Whitley and Monkseaton, Whitstable, Whittington, Whitworth, Wigston Magna, Willington Quay, Wimbourne, Windermere, Winterton, Wirksworth, Withernsea, Withington, Withnell, Witney, Wivelscombe, Wokingham, Wombwell, Worsborough, Ynyscynhaiarn.

PUBLIC HOUSE TRUSTS (in all 38).

Cheshire, Devon (3), Essex, Gloucestershire, Hertfordshire (6), Leeds and District (5), Middlesex (2), Norfolk (2), Northumberland (5), Somerset (6), Walney and Barrow Islands (2), York District and East Riding (2), Renfrewshire (2).

PARISH COUNCILS IN SCOTLAND (in all 30).

Alloa, Alva, Arbroath and St. Vigeans, Ardrossan, Auchterderran, Ayr, Bathgate, Barvas, Beath, Beith, Borrowstounness, Cambuslang, Campbeltown, Campsie, Dalserf, Denny, Dunoon and Kilmun, Dysart, Eastwood or Pollock, Falkirk, Fetteresso, Fraserburgh, Lochs, Nairn, Perth, St. Andrews and St. Leonards, Stevenston, Thurso, Tillicoultry, Uphall.

APPENDIX III.

Year.	Total Receipts at Head Office and Branches [to nearest £].	Total Expenditure [to nearest £].	Correspondence.				Personal Applications.		Notice Boards exhibited.
			Received.	Despatched.	Total.	Percentage Increase (+) or Decrease (—) as compared with previous year.	Number.	Percentage Increase (+) or Decrease (—) as compared with previous year.	
	£	£							
*1886–7	48	207	8,217	12,688	20,905	—	†1,684	—	—
‡1887–8	74	639	10,221	35,019	45,240	—	5,975	—	—
‡1888–9	106	628	13,222	55,821	69,043	—	5,962	—	—
‡1889–90	101	636	10,950	50,411	61,361	—	5,429	—	—
§1890	100	637	8,381	36,913	45,294	—	5,065	—	—
1891	94	814	9,226	36,723	45,949	+ 1·4	4,561	— 10·0	—
1892	74	965	7,692	34,128	41,820	— 9·0	3,358	— 26·4	—
1893	75	983	8,232	35,217	43,449	+ 3·9	3,287	— 2·1	—
1894	72	985	7,671	34,529	42,200	— 2·9	2,585	— 21·4	—
1895	74	962	8,831	35,642	44,473	+ 5·4	2,282	— 11·7	52
1896	95	987	10,841	36,551	47,392	+ 6·6	2,189	— 4·1	56
1897	87	1,198	10,563	36,968	47,531	+ 0·3	2,200	+ 0·5	77
1898	94	1,524	11,037	41,972	53,009	+ 11·5	2,323	+ 5·6	322
1899	94	1,513	10,610	46,005	56,615	+ 6·8	2,768	+ 19·2	519
1900	104	1,299	11,829	47,205	59,034	+ 4·3	3,213	+ 16·1	599
1901	107	1,490	13,138	50,511	63,649	+ 7·8	2,057	— 35·9	819
1902	162	1,406	21,900	60,052	81,952	+ 28·8	3,532	+ 71·8	1,027
1903	134	1,471	19,361	55,503	74,864	— 8·6	3,535	+ 0·1	1,033
1904	109	1,397	13,250	50,394	63,644	— 15·0	2,503	— 29·2	1,048
1905	137	1,511	15,919	53,377	69,296	+ 8·9	3,051	+ 21·9	1,086
1906	145	1,646	17,238	53,923	71,161	+ 2·7	3,262	+ 6·9	1,100
1907	148	1,607	18,874	67,903	86,777	+ 21·9	4,864	+ 49·1	1,100

* For period of nearly six months' work, *i.e.*, from the opening of the Office to the 31st March, 1887.
† In 1886–7 the number of personal applicants was only noted from 1st January to 31st March.
‡ For year ended 31st March.
§ In this and following years the Annual Report is for year ending 31st December, and the figures for the last quarter of 1889–90 are therefore included again in the figures for 1890.

APPENDIX IV.

MEMORANDUM BASED ON CHIEF CLERK'S REPORT.

It was pointed out by one of the immigration officials, and corroborated later by another official, that the most difficult of all cases to deal with is that of the man with no particular trade with a wife and a young family of more than one or two children. Such cases as this are often, it was stated, sent out by emigration societies. These are cases in which great hardship is likely to be endured, and the sending out of such families should be discouraged in the highest degree [unless they are going to assured employment or have funds sufficient to cover unavoidable expenses for a time*]. One such family was at the Immigration Depôt at the time of the Chief Clerk's visit and had been there for six weeks. It was stated that families such as these should have £20 on landing. The following is a very low estimate of the actual necessaries for an average family, man and wife and two children :—

	Dollars.
Transportation, 2 whole and 2 half tickets (say 500 miles) ...	15.00
Food on journey and one day at hotel at destination	5.00
Rent of house (which in almost every case is payable in advance)	10·00

Household Necessaries.

1 stove and utensils	12·00
2 beds at 3 dollars each	6.00
2 mattresses at 2 dollars each	4.00
1 table	3.00
4 chairs at 50 cents each	2.00
Provisions for 1 week	7.00
Total	64.00

No family should land with less unless special arrangements are made before leaving the old country. Where there are more than two children the expenses would be heavier.

It is also advisable to impress upon emigrants the great dislike Canadians have for those immigrants who keep pointing out that English methods are better than those employed in Canada. This is a very fruitful source of trouble ; and it should also, in the strongest possible way, be explained that immigrants who endeavour to pick or choose their work more often than not suffer, and that work should be taken and money earned at the earliest opportunity, even though a man has to take work other than that to which he has been accustomed. His own trade can be assumed as opportunity occurs. A great many emigrants from the United Kingdom earn for themselves unpopularity by not exercising their common sense in the manner indicated.

APPENDIX V.

COLONIAL OFFICE to the EMIGRANTS' INFORMATION OFFICE.

DOWNING STREET,
7th November, 1907.

SIR,

I AM directed by the Earl of Elgin to transmit to you, for the information of the Managing Committee, a copy of a Resolution relating to emigration passed at the recent Colonial Conference. The attention of the Committee has no doubt already been directed to this Resolution and the discussion upon it which is published in the Parliamentary Paper [Cd. 3523]. Lord Elgin is aware that, as stated in the Memorandum on the Emigrants' Information Office laid before Parliament in May [Cd. 3407], the influence of the office has in fact been exerted, for the reasons there given, in the direction of diverting emigration from foreign countries to the great British Colonies, and that the Committee are alive to the importance of keeping in touch with the representatives of the various Colonies, but his Lordship desires that the Resolution should be placed on record.

I am, &c.,
C. P. LUCAS.

The Chairman,
Emigrants' Information Office.

* These words were, by inadvertence, not included in the copy of the Memorandum sent to emigration societies.

APPENDIX VI.

THE CANADIAN ASSISTANT SUPERINTENDENT OF EMIGRATION TO THE EMIGRANTS' INFORMATION OFFICE.

11 AND 12, CHARING CROSS,
LONDON, S.W.
20th January, 1908.

DEAR SIR,

BEFORE vacating my position as Superintendent of Emigration in this country, and on the eve of my departure for Winnipeg, I desire to take this opportunity of expressing to you my appreciation of the great services rendered to emigration to Canada by your Office. I recognise the singular care with which you have obtained accurate information about the Dominion, your painstaking efforts to present the real conditions, and the clear and succinct manner in which you publish the results of your efforts.

It has afforded me the liveliest satisfaction to enjoy your cordial co-operation in presenting the truth, and nothing but the truth, about our Colony, and I feel that your Office is doing a work for the prospective emigrant with a care and with a thoroughness which he cannot fail to appreciate, and that cannot help but be of inestimable value to those who think seriously of emigration.

Yours very faithfully,
J. BRUCE WALKER,
Assistant Superintendent of Emigration.

M. Jones, Esq.,
31, Broadway, S.W.

THE EMIGRANTS' INFORMATION OFFICE TO THE CANADIAN ASSISTANT SUPERINTENDENT OF EMIGRATION.

EMIGRANTS' INFORMATION OFFICE,
31, BROADWAY,
WESTMINSTER, S.W.,
21st January, 1908.

SIR,

I AM directed by the Managing Committee of the Emigrants' Information Office to acknowledge the receipt of your letter of the 20th of January, and to thank you for the expression of your appreciation of the work done by the Emigrants' Information Office.

My Committee have received with much pleasure your generous recognition of their efforts to supply accurate information for the guidance of intending emigrants, and they desire to express in turn their sense of the willingness and cordiality with which you have responded to applications from this Office for information or assistance.

I remain,
Faithfully yours,
M. JONES,
Chief Clerk.

The Assistant Superintendent of Emigration,
11 & 12, Charing Cross, S.W.

RIFLE ASSOCIATIONS (COLONIES) (GRANTS).

RETURN to an Address of the Honourable The House of Commons, dated 20 May, 1908 ;—*for*,

"RETURN of the AMOUNTS of the GRANTS made during each of the last FIVE YEARS by COLONIAL GOVERNMENTS to RIFLE ASSOCIATIONS for the encouragement of RIFLE SHOOTING, and for the MAINTENANCE and EXPENSES of COLONIAL REPRESENTATIVE RIFLE TEAMS."

Colonial Office,
6 November, 1908.

FRANCIS J. S. HOPWOOD.

(*Mr. Courthope.*)

Ordered, by The House of Commons, *to be Printed*, 9 *November* 1908.

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RETURN.

NORTH AMERICAN.

Canada.

The following grants have been made during the last five years to Rifle Associations in Canada :—

——	1903-4.	1904-5.	1905-6.	1906-7.	1907-8.
	$	$	$	$	$
Dominion of Canada Rifle Association -	10,000.00	15,000.00	15,000.00	15,000.00	15,000.00
Province of Ontario Rifle Association -	1,800.00	2,800.00*	3,000.00*	3,000.00*	3,000.00*
„ „ Quebec Rifle Association -	1,700.00	1,700.00	1,800.00	1,800.00	1,900.00
„ „ Nova Scotia Rifle Association.	1,500.00	1,500.00	1,600.00	1,600.00	1,600.00
„ „ New Brunswick Rifle Association.	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00
„ „ Manitoba Rifle Association	1,150.00	1,250.00	800.00	800.00	1,000.00
„ „ British Columbia Rifle Association.	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
„ „ P.E. Island Rifle Association.	750.00	750.00	800.00	800.00	800.00
„ „ Alberta Rifle Association -	—	—	—	—	500.00
Territorial Rifle Association - -	800.00†	500.00	700.00	700.00	—
Military and Civilian Local Rifle Associations.	7,749.00	8,375.50	8,245.00	8,365.50	9,218.00
Totals - - -	$27,749.00	$34,175.50	$34,245.00	$34,365.50	$35,318.00

* This includes $1,000 for maintenance Long Branch Rifle Range.
† This includes repairs to range amounting to $300.00.

The grants to Local Rifle Associations are made on the basis of $1.00 per each member up to 40, and 50 cents per each member over 40 and up to 80.

In addition to the above grants in money, a free issue of ammunition is made each season of 200 rounds per each member of a Military Association, and 100 rounds per each member of a Civilian Association, at a cost of about $15.00 per 1,000 rounds.

There is also a yearly free issue of special ammunition to the Dominion of Canada Rifle Association of 100,000 rounds, approximating $2,000.00 in value :—

Number of Military Rifle Associations - - - -	130
Membership of Military Rifle Associations - - -	14,959
Number of Civilian Rifle Associations - - - -	367
Membership of Civilian Rifle Associations - - -	22,783
Total number of Rifle Associations - - - -	497
„ membership of Rifle Associations - - - -	37,742

Only those Associations not having the use of a Government rifle range receive the annual grant, which is for the care and maintenance of the range.

Newfoundland.

The only grant made in Newfoundland was a vote in 1908 of $2,000 for the fitting up and extending of the rifle range. The Newfoundland Government has always permitted the entry free of duty of rifles for shooting at the rifle range.

AUSTRALASIAN.

New Zealand.

The following grants have been made during each of the past five financial years by the New Zealand Government to Rifle Associations for the encouragement of rifle shooting and the maintenance and expenses of Colonial representative rifle teams:—

Year 1903–4.	£	Year 1904–5.	£	Year 1905–6.	£
Grant towards sending team to Bisley Meeting, England	1,650	Grant towards sending team to Bisley Meeting, England	1,650	N.Z. Defence Forces Rifle Association, Trentham, N.Z.	600
N.Z. Defence Forces Rifle Association, Trentham, N.Z.	500	N.Z. Defence Forces Rifle Association, Trentham, N.Z.	500		
Total	£2,150	Total	£2,150	Total	£600

Year 1906–7.	£	Year 1907–8.	£
N.Z. Defence Forces Rifle Association, Trentham, N.Z.	600	N.Z. Defence Forces Rifle Association, Trentham, N.Z.	500
Commonwealth Defence Forces Rifle Association (N.Z. Team to Australia, held in Sydney, October 1907)	300		
N.Z. Exhibition Meeting, Sumner Rifle Range, Canterbury	200		
Total	£1,100	Total	£500

Australia.

The following grants have been made to Rifle Associations by the Australian Governments during the five years 1903–4 to 1907–8 for the encouragement of rifle shooting and for the maintenance and expenses of representative rifle teams:—

State, &c.	1903–4.	1904–5.	1905–6.	1906–7.	1907–8.	Total.
	£	£	£	£	£	£
Central Administration	—	—	200	1,300	350	1,850
New South Wales	2,000	2,000	2,000	2,000	2,250	10,250
Victoria	1,025	1,025	1,375	1,375	2,275	7,075
Queensland	1,525	1,525	1,500	1,525	1,950	8,025
South Australia	200	200	200	500	600	1,700
Western Australia	350	450	450	350	600	2,200
Tasmania	150	150	150	600	500	1,550
Total	5,250	5,350	5,875	7,650	8,525	32,650

SOUTH AFRICA.

Cape of Good Hope.

The following grants have been made to Rifle Associations in the Cape of Good Hope for the past five years :—

	£
1903–4	300
1904–5	Nil
1905–6	2,500
1906–7	2,500
1907–8	2,500

No grant has been made during these years towards the maintenance or expenses of a representative rifle team.

Natal.

The following grants have been made to Rifle Associations by the Natal Government for the encouragement of rifle shooting :—

Financial Year.	Allowances to efficient Members at the Rate of £1 each.	Grant to Natal Rifle Association for Annual Competition.	Deficiency in Sale of Arms to Members of Rifle Associations. Issued at 35*s.* less than Cost.	No. of Rounds of Free Ammunition issued.
	£	£	£	
1903–4	2,692	500	—	208,500
1904–5	3,167	500	—	320,800
1905–6	3,578	500	5,772	364,000
1906–7	6,209	—	1,333	369,000
1907–8	6,018	500	90	625,830
Totals	21,664	2,000	7,195	1,888,130

Expenses of Natal rifle teams competing at the English Bisleys :—

	£	*s.*	*d.*
1903	1,271	0	9
1904	1,408	4	5

Transvaal.

The following grants have been made to Rifle Associations in the Transvaal during the last five years :—

	£
1903–4	1,000
1904–5	1,000
1905–6	1,000
1906–7	1,000
1907–8	950

Orange River Colony.

No grants have been made during the period in question in the Orange River Colony.

CROWN COLONIES AND PROTECTORATES.

Barbados.

The following grants, representing the value of ammunition supplied, have been made to the Barbados Rifle Association :—

	£
1905–6	11
1906–7	66
1907–8	77

In addition, the sum of £100 was granted in 1908 in aid of the funds required to cover the expenses of sending a West Indian team to compete at Bisley.

British Guiana.

RETURN showing GRANTS made by GOVERNMENT to RIFLE ASSOCIATIONS, GEORGETOWN (DEMERARA) and NEW AMSTERDAM (BERBICE), during each of the under-mentioned FIVE YEARS (Financial).

Year.	Grants for Maintenance of Rifle Ranges.		Special Expenditure.	Ammunition.
	Georgetown.	New Amsterdam.		
	$	$		
1904–5	180	30	Nil	Members of the police and militia forces, and civilian members of the Rifle Association, allowed to purchase ammunition at half-price up to 250 rounds each person.
1905–6	200	20	Alteration of butts to suit new targets and erection of one new butt (Georgetown), $430.	Do. do.
1906–7	180	10	New butts at New Amsterdam, $300.	Do. do.
1907–8	200	90	Erection of pavilion (Georgetown), $500.	Do. do.
1908–9	100	20	Completion of pavilion (Georgetown), $350.	Do. do.
			Erection of fence (Georgetown), $210.	Do. do.
			Attendance of representative at Bisley, $120.	Do. do.

Ceylon.

The following grants have been made to the Ceylon Volunteer Rifle Association :—

	Rs.
1905	500
1906	500
1907	500
1908	500

In addition, an allowance of five rounds per man on the strength of the force is allowed to the Association, to be expended by members at the Annual Rifle Meeting. Free railway warrants are also issued, under certain conditions, to members when taking part in practice and competitions.

East Africa Protectorate.

Expenditure on Volunteer Reserve :—

	£
1905–6	1,662
1906–7	546
1907–8	1,598

Fiji.

Grants to Rifle Associations :—	£	s.	d.
1903	254	13	8
1904	2,124	10	6
1905	474	2	11
1906	736	0	2
1907	2,100	10	3

Grenada.

An expenditure of £23 19*s.* 0*d.* was incurred during 1907–8 through the issue of rifle ammunition at half cost to the St. George's Rifle Club.

Hong Kong.

The following expenditure has been incurred upon the Volunteer Reserve Association :—

—	1905.	1906.	1907.
	$	$	$
Construction of Rifle Range at Peak	—	3,191.57	816.87
Range at King's Park	264.36	—	126.13
Rifles for Volunteer Reserve Association	1,166.00	—	637.20
100,000 rounds of ammunition	680.00	800.00	520.00

Jamaica.

Grants to Rifle Associations during the Five Years ending 31st March 1908.

		£	s.	d.	£	s.	d.
1905–6.	Nil.						
1906–7.	Capitation grant to efficients	255	12	6			
	Inspecting Officer's transport	13	15	6			
	Freight on rifles shipped to England	15	14	7			
	Expenses of corps whilst assisting to police the city during earthquake stress	323	19	5			
					609	2	0
1907–8.	Capitation grant to efficients	401	14	7			
	Cost of free ammunition	124	16	8			
					526	11	3

Nyasaland Protectorate.

The following expenditure has been incurred upon the Nyasaland Volunteer Reserve :—

Year.	Capitation Grants.			Ammunition.			Rifles.			Pay of Secretaries.			Total Expenditure.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1903–4	48	0	0	329	18	9	—			—			377	18	9
1904–5	39	0	0	0	14	2	—			—			39	14	2
1905–6	46	0	0	0	6	6	—			—			46	6	6
1906–7	12	10	0	1	2	0	—			20	16	8	34	8	8
1907–8	126	0	0	—			611	12	8	59	1	8	796	14	4

Rhodesia (North Western).

Grants for the encouragement of rifle shooting :—	£	s.	d.
1906–7	1,988	11	0
1907–8	1,815	17	1

Rhodesia (Southern).

Grants for the encouragement of rifle shooting :—

Year.	Nature of Grant.	Amount granted.
		£ s. d.
1903 4	To rifle clubs in Southern Rhodesia	983 11 10
1904–5	" " "	896 18 7
1905–6	" " "	384 17 8
1906–7	To rifle clubs and Transvaal Bisley	297 14 8
1907–8	Rifle clubs and up-keep of rifle ranges	391 6 6

St. Lucia.

Since 1906 the Government has provided and maintained a rifle range and an instructor and granted free ammunition for a full course of target practice.

St. Vincent.

The only Rifle Association is the St. Vincent Rifle Club, the active members of which form a Volunteer Reserve Corps. The following is the expenditure incurred by the Government in connection therewith during the last five years :—

		£ s. d.
1903–4.	Nil	—
1904–5.	Purchase of uniform material	38 12 11
1905–6.	Nil	—
1906–7.	Share of salary and allowances of Staff Officer, Windward Islands	94 5 7
1907–8.	Do. do. do.	87 15 3
	Volunteer incidental expenses	29 1 0

Straits Settlements.

		$	$
1903.	Upkeep of rifle ranges		57.12
1904.	Do. do.		86.69
1905.	Do. do.	87.54	
	Extension of do.	9,669.65	
	Grant to Rifle Association for Club House at Balestier Range	1,800.00	
			11,557.19
1906.	Upkeep of rifle ranges	2,024.10	
	Contribution to Rifle Club	325.55	
	Constructing miniature rifle range	51.29	
			2,400.94
1907.	Upkeep of rifle ranges	2,294.84	
	Contribution to Rifle Club	1,129.33	
	Special services to rifle range	2,116.00	
			5,540.17

Trinidad.

Grants to Rifle Associations and for upkeep of rifle ranges :—

	£ s. d.
1903–4	104 4 9
1904–5	101 10 6
1905–6	122 3 11
1906–7	90 11 0
1907–8	126 7 7½

Uganda Protectorate.

Amounts spent on account of Rifle Associations :—

		Amount.			Total.		
		£	*s.*	*d.*	£	*s.*	*d.*
1903–4.	Capitation grant - - -	18	0	0			
	Other charges - - -	643	1	4			
					661	1	4
1904–5.	Capitation grant - - -	22	0	0			
	Other charges - - -	57	1	7			
					79	1	7
1905–6.	Capitation grant - - -	36	0	0			
	Other charges - - -	26	0	0			
					62	0	0
1906–7.	Capitation grant - - -	50	0	0			
	Ammunition, targets, &c. - -	136	13	8			
	Upkeep of ranges - - -	2	13	6			
					189	7	2
1907–8.	Capitation grant - - -	58	0	0			
	Ammunition, targets, &c. - -	173	17	9			
	Upkeep of ranges - - -	1	13	4			
					233	11	1

No grants have been made during the last five years to Rifle Associations by the following Governments :—

Bahamas.
Bermuda.
British Honduras.
Cyprus.
Falkland Islands.
Gambia.
Gibraltar.
Gold Coast.
Leeward Islands.
Malta.
Mauritius.
Northern Nigeria.
St. Helena.
Seychelles.
Sierra Leone.
Somaliland Protectorate.
Southern Nigeria.
Turks and Caicos Islands.
Weihaiwei.
Western Pacific.

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